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THE AMERICAN CHURCH REVIEW.

Rev. EDWARD B. BOGGS, D. D.,

Editor and Proprietor.

JANUARY AND FEBRUARY, 1879.

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AMERICAN CHURCH REVIEW.

VOL. XXXI.—JANUARY, 1879.

THE INFLUENCE OF CHRISTIANITY ON THE ROMAN LAW.*

PART THIRD—CHAPTER VII.

The Celebration.

The nuptial benediction was certainly a custom of the primitive Church; Tertullian declares it in several passages, and many authorities concur in the opinion.¹ Marriages, not solemnized by ecclesiastical authority, were regarded as clandestine and unlawful; it went much farther than paganism; for the ancient religion had only lent, but had not

¹ See the passage before cited on Monogamy. He says, moreover, *de Pudicitia*, "Ideo penes nos occultæ quoque conjunctiones, id est, non prius apud ecclesiam professæ, juxta mæchiam et fornicationem judicari periclitantur."

Saint Ambrose *Epist.* 70; the 4th Council of Carthage, canon 13, and Chardon, *Histoire des Sacraments*, t. vi; *du Mariage* c. ii. Art. 2.

imposed its intervention.¹ But the philosophy of marriage had been expressed by Christianity, with a profundity to which no other religious system could approach. We have already seen several features of its theory; but there is another which I cannot here forget.

If the attraction which brought the sexes together were abandoned to the frenzy of sensuality, the degradation of the species would soon be proportionate to its depravity. Guilty² nights load the soul with their pollution, and the body with the burdens of excess. They stultify the intelligence, poison the sources of health, and enervate life by a fatal cup which shortens its duration.³ The children which it begets, attainted in their very constitutions by the precocious infirmities of their parents, in their honor by the illegitimacy of their birth,⁴ and in their personal security by their false position in the family, are an affliction rather than the hope and reparative element of Society.⁵ Montesquieu has also said with great force, that "illicit unions contribute very little, while public continence is naturally connected with the propagation of the species."⁶ It is not that we adopt the prejudices of the vulgar with respect to monstrous conformations; for we know that they are repelled by sound physiology. But we believe, that as a general rule, it is the chaste unions that are productive of

¹Pothier....*Pand.* t. ii. p. 17.

²The book of Wisdom says with even greater elegance. "*Ex iniquis somniis filii qui nascuntur.*"

³*Voluptas nocet nimis.*—Senec. *de vita beata* 13.

⁴"For children illegitimately begotten, when we inquire into their characters, become the witnesses who testify against the crime of their parents." *La Sagesse*, iv, 6.

⁵Spurious offspring shall not put forth a deep root, and their race shall not establish itself. *La Sagesse*, iv, 3.

⁶*Esprit des lois*, liv, xxiii, ch. ii.

strong¹ generations; that nature exhausted by intemperate excitements betrays its feebleness by feeble products; that the rash abuses which falsify and profane the providential law of reproduction, fall cruelly upon their authors, and prepare for innocent generations a frightful heritage of moral and physical evil. But such a danger placed at the very sources of life could not escape the attentive eye of Christianity, which, in its love for man, aims to narrow the empire of physical by the reform of moral evil. Accordingly it has established marriage as a holy institution, in order the better to restrain and bring back to the purposes of God, that blind force which propagates the² species.

It has sanctified the marriage bed by prayer and consecration, and opened to husband and wife a spiritual communion with heaven, when the world seems to subjugate them the most completely. But the Epicurean world is obedient to Venus, the generatrix, sung in the voluptuous verse of Lucretius.³ The Christian world, more chaste, has wrested the crown from that queen of the flesh, who should be merely the obedient instrument⁴ of the divine mind.

¹*Fortes* says Horace *creantur fortibus et bonis!* *Odes* bk. iv. and *La Sagesse*, "O, combien est belle la race chaste" iv, 1.

²M. de Maistre. *Soirees de Saint Petersbourg*. t. i p. 60, 61.

³Parent of Rome! by gods and men beloved,
Benignant Venus! thou, the sail-clad main
And fruitful earth, as round the seasons roll,
With life who swellest, for by thee all live,
And, living, hail the cheerful light of day.

Good's Lucretius, lib. i. v. i. et seq.

⁴Fenelon. *Exhortations* Art. 5. Jesus Christ intends by this holy institution to bestow a rich benediction upon the source of our existence, in order that those who are united in the bonds of matrimony, may not think only of having children, and less of having them, than of giving to God beings created in the likeness of their heavenly Father. The bonds of matrimony render the

In vain has pagan materialism deified her as the soul of the universe; she is—if I may so speak—only the soul of sensuality, the inferior soul,¹ and her carnal desires are governed by the moderation reflected by those of the spirit.² Nevertheless, that doctrine of the Church which places marriage among the sacraments, was not formulated until very late in the laws of the Christian Emperors. A constitution of Theodosius the younger, A. D. 428, appears to have even reproduced the principle of the law of the jurisconsults, that marriage is perfected by consent alone, without dowery, nuptial pomp or solemnity—*aliaque nuptiarum celebritas omittatur*.³

Did that Prince allude to civil pomps and secular solemnities only, which without having ever been an essential element of marriage, accompanied it quite often and did not cease to be customary even during the decadence of ancient manners? When he speaks of consent, does he mean that which expresses itself according to the views of the Christian Church? In regard to this there are various doubts. It is most certain, that we must go to Justinian to

two persons inseparable. The Holy Spirit has ordained this for the good of man, in order to repress incontinence, and the confusion which disturbs the order of families, and for the stability necessary to the education of children.

¹Origen de *Principiis* iii. 4.

²These expressions are from St. Paul. The flesh has desires contrary to those of the spirit. Gal. v. 17.

As to the foundation of the idea, listen to Origen. I cite the Latin version. "His enim modus orationis debitus impeditur, nisi etiam ille actus nuptialis secreti, de quo maxime silere decet, et rarius, et sedatiore animo, ac minus impotenti fiat; cum is qui dicitur consensus discordiam animi affectum evanidam reddat."—*De oratione* § 2, vol. 1. p. 198.

³L. 3. C. Theod. de *nuptiis*. L. 6. C. Theod. de *tironibus*.

²See Gibbon with reference to the marriage of the Emperor Arcadius with Eudoxia.

discover in the civil law any mention of Christian solemnities.' The texts which call them to mind are explicit, but have a character, rather enunciative than imperative.¹ They presuppose the customary use of the benediction, but do not prescribe it, and subsequent history shows that it was often dispensed with. And why should this be surprising, when the last traces of paganism had not yet disappeared, and grave attempts had already been made at the unity of faith? The emperor Leo called attention to this neglect of the regulations constitutive of marriage, condemned it by a celebrated law,¹ and identified the civil conjugal union with the sacrament of the Church. It should be remarked, however, that that law was not made for the occident, where the intervention of the bishops in public affairs, established a similar rule, and the religious celebration governed the marriage contract, until the differences in worship introduced into the state, established the incompetency of the exterior law, with respect to matters which affect the conscience; that incompetency is one of the conquests of modern liberty, and wise men know how to respect it, leaving to the extremists of all parties the abuse

¹L. 44. C. Just. *de nuptiis. Nisi ipsa nuptiarum accedat festivitas.* Such is Godefroy's understanding of the law. See his notes on Novel. lxxxix of Leo. See also Novel. lxxiv, § 1 of Justinian.

²Novel. lxxiv § 1 of Justinian. According to the Abbé Fleury, the earliest fathers of the Church considered marriage an ecclesiastical as well as civil ceremony.

³Novel. lxxix. The Emperor Leo, A. D., 886, is said to have been the first to declare the ecclesiastical benediction necessary to marriage. Blackstone, *Com. Bk. i. ch. 15*, says that the intervention of the priest to solemnize this contract is merely *juris positivi*, and not *juris naturalis aut divini*. See Lord Mackenzie's *Rom. Law*, p. 95. Pothier, *Traité du mariage*, part 4, c. 1, § 4. Code Civil, art. 75, 76, 165.

of atheistic law, by which an attempt has been made to dishonor the impartiality of the legislator. But, as it is necessary to know how to liberate ourselves from ancient ideas, in order to judge of the present, so also will it be dangerous to be guided by contemporaneous opinions, in judging of the needs of the past. When I carry myself back to the disorders of the Middle Ages, and to that frightful irruption of all the brutal passions which characterize the history of the Merovingian and Carlovingian races, and the earlier ages of the Capetian race, I do not know what would have become of civilization, if the spiritual had not been ready at hand for the use of the temporal power; that power, happily, was armed with moral and political strength, and by the assistance of the principles of the gospel, with respect to marriage, has been able to wrest the primordial element of society, from materialism, in order to restore it to Christianity.¹

CHAPTER VIII.

The Concubinate.

I have already said that we generally discover in the Roman jurisprudence the antithesis of two diverse principles, the civil and natural laws. Marriage had, also, its remarkable characteristics. By the side of the civil marriage there was a natural union known as the Concubinate.² Before the time of Augustus, it had no legal name and everything leads us to believe, that it was confounded with illicit and unacknowledged intercourse.³ But under that prince it became completely isolated, and took its place among the agreements authorized and legally recog-

¹Then the *Instit. coutumiers* say, *Les mariages se font au ciel et se consomment sur la terre.* Loisel, liv. i. tit. ii. n. 2.

²Gibbon, Chap. xlv, and above Chap. iii.

³Heinec on the Papian law, lib. ii. chap. iv, n. 3.

nized by the natural law.¹ What was the reason for this peculiar institution? I find it in a compromise between the license of morals at the end of the Republic, and the laws of Augustus against adultery and concubinage;² between the aversion of the Romans of that epoch for marriage, and the laws of that emperor to render it more frequent. Augustus gave the inequality of stations in life as the foundation for that concession made to prejudices or feebleness. In those celebrated laws whose

¹Marcianus, *loc. cit* Paul, l. 144, D. *de verborum signif.*

²Cicero, in fact, calls her a concubine who lives with a married man—*de orat. lib. 1. ch. xl.*—A Roman citizen returned from Spain, leaving in the province a wife *enceinte*. He married again at Rome, and died, leaving two posthumous children of two marriages; the status of the second wife and child was contested; the question being whether in order to break the second marriage there was need of a solemn divorce, a change of will regularly manifested in a particular form—*certis quibusdam verbis*—and not the change of will only resulting from the single fact of the second marriage. And it was on that occasion that Cicero made the remark that the question was decided against the second wife who could be treated only as a concubine—in *concubinæ locum deduceretur*. The Jurisconsult Marcianus had reason therefore for saying that it is by the laws of Augustus, that the Concubinate received a name and legal status.—*Concubinatum nomen PER LEGES adsumpsisse* l. 3, § 1, D. *de concub.* Accordingly when we find that word in Plautus and other writers anterior to Augustus, we must be guarded in believing that they applied to a legal status, which they served to indicate at a later period—V. Plautus *Epidicus* act iii. sc. iv, v, 444.—*Trinummus* act iii, sc. ii, v. 747—Translators of Plautus have not given this sufficient attention.

²See the Digest, *ad leg. Julia de adulteriis*. Inst. Just. Lib. IV, Tit. xviii, D xlviij pr. and l. The *lex Julia* punished those guilty of adultery by confiscation of a portion of their property and by relegation.—Paul. *Sent.* ii, 26, 14. Constantine imposed the graver penalty of death. C. ix, 9, 31. See also Livy, lib. xxxix.

object was to dignify marriage, that prince forbade citizens to espouse certain women, who, although free, were nevertheless, lost to honor;¹ for example, prostitutes, panders, those who having been held in slavery for vile purposes had been enfranchised, criminals, adulteresses and *comediennes*.² It is known, also, that he forbade senators, as well as their sons and grandsons,³ to espouse freed women.

But the emperor, in order to harmonize certain weaknesses with the necessity of giving to the republic subjects who would not be compelled to blush at their birth, considered it his duty to authorize with women a certain lawful commerce which, without being legal marriage, was an imitation of it; he called it the Concubinate.⁴ That union served as a shelter from the severity of the laws against corrupt morals,⁵ but did not procure the advantages attributed to actual nuptials.⁶ It was most usually the resource of those who having paid their debt to the country, did not wish, as for example, Marcus Aurelius⁷, to give step-mothers to their children. Accordingly, after Augustus the Concubinate was no longer indecent;⁸ it would not, however, produce the effects of the civil marriage; formed by naked consent

¹Heinnec. *loc. cit.* lib. ii, c. i. n. 10, 11, 12, and c. iv. n. 4.

²Heinnec. l. ii, c. iv, n. 4.

³Id. c. i, n. 6.

⁴Marcianus, l. 3, § 1. D. *de concub.* Heinnec. lib. ii, c. iv, n. 1, 2, 3.

⁵He who lived thus was not subject to the laws *de adulteriis et stupris*.

⁶Heinnec. lib. ii, c. iv, n. 4.

⁷Capitolinus in *Vita M. Aurelii Anton.*, c. xxix. After the death of the empress, Marcus Aurelius with the object which I have stated in view, took for his concubine the daughter of his wife's steward.

⁸Paul. l. 144. D. *de verborum signif*; L. 5, C. *ad senatusc. Orphit.*

and dissolved by the same means, it admitted of no solemnities, and the dowry did not apply to it. The wife called *concubina*, *amica*, *convictrix*, did not enjoy the honorable title of mother of the family, nor did she participate in the honors of her husband; she only shared his bed, his table and his affections.

Moreover, since the Concubinate was a natural imitation of marriage, it was governed by the rules imposed upon that institution by the natural law. The having of several concubines at the same time¹ was prohibited; it would have been polygamy, which was repulsive to Roman civilization; and if any audacious debauchee, such as Tigellinus, for example,² violated that law, public morality protested against such turpitude.³ He who had a legitimate wife could not take a concubine; it would have been both adultery and bigamy.⁴

Little by little the Concubinate was greatly extended. It served to cast the veil of decency over the easy unions of persons innocent and irreproachable, who did not wish to be united by bonds too heavy. Plebeians, poor and of obscure origin, and the enfranchised,⁵ consented to share, under the name of concubine, the bed of one who would have been unwilling to disparage himself by a marriage. But women who enjoyed advantages of fortune and public consideration, did not consent to renounce the more exalted title of wife.

The children of the Concubinate, *nothi*, were not bastards.⁶

¹Novel. xviii, c. v.

²Tacitus reproaches him with his infamous death in the midst of his concubines. Hist. lib. i, 72.

³Heinnec. ii, c. iv, n. 4.

⁴L. 1, C. de concubinis.

⁵Vespasian, having survived his wife and daughter, had for his concubine Cœnis, a freed woman. Suetonius in Vespasian, c. iii.

⁶Heinnec n. 4, and the tombstone inscription which he gives.

But, although they had an indisputable father, they were not on that account legitimate. They were called natural children, because it was only a natural union that gave them birth. Born out of wedlock, they could not lay claim to the advantages of the civil law; they could not succeed to their father, nor bear his name, and were not in his family.¹

But in regard to the mother, they had rights of succession as extended as legitimate children. It was thus² ordained by the Roman law; for the mother was only united to her legitimate offspring by the ties of blood; between them and her there existed a relationship fully equal to that of natural children, and thenceforth, equality reigned between the child of the Concubinate and that born under the shadow of legitimate nuptials.

Such was the state of legislation and morals when Constantine ascended the throne. The Concubinate shocked, too directly, his Christian ideas respecting marriage, for that prince not to seek to raise obstacles against it. The doctrine of Christ does not admit of degrees of perfection in the conjugal union; it regards marriage as a unity, and all intercourse which the benediction has not legitimated is debauchery.

But how could a custom be reformed which had fixed its roots so deeply? How could legislation be unified with reference to a matter so delicate, and so strongly governed by the power of habit and prejudice?

Constantine fearing to make a direct attack upon the existing order of things, had recourse to indirect measures. His first idea was to convert the Concubinate into legal marriage; to accomplish this he gave legitimacy as a recompense to children already born, whose parents would renounce their spurious intercourse for a legitimate union.³

¹Heinnec *loc. cit.*

²See below, Chapter on Successions.

³We have not that Constitution. L. 5, of the Code of Justinian *de nat liber.* makes it known to us.

He then instituted severe measures against natural children, and in order to reach more easily the hearts of their fathers, forbade them to confer anything upon such children by donation and testament;¹ and, finally, he did not permit persons of dignified station to present in public the disgusting spectacle of the Concubinate,² thus attacking that institution by the triple influence of recompense, penalty and example.

But here arose the constant and important difficulty of securing the acceptance of his reforms, by those nations of the Orient and Occident, who exhausted every variety of race, worship and morals.

The polytheists still so numerous, I might say even yet so powerful, as the reaction of Julian had proved, would murmur at the innovations which wounded their affections, interfered with their habits, and awakened their resentment. Perhaps the progress of conversions would permit anything.

It is doubtless for those reasons that Valentinian I, the friend of tolerance,³ gave to the Occident his constitution of 371,⁴ which conferred upon natural children and their mothers a more extensive capacity of receiving by Testament from the father. Valens, emperor of the Orient, was at first unwilling to ratify it; but he yielded at the earnest entreaty of Libanius, the sophist, who wished to make a will in favor of a son whom he had had by a concubine, after his divorce from his wife.⁵ It is well to remark that

¹Arg. on law 1, C. Theod. *de natur. filiis*; Godefroy on that law, and Pothier t. ii, p. 284, n. 82.

²L. 1 C. *de natur. liber.*

³Baronius, year 371, and Symmachus, lib. x. Epist. 54.

⁴L. 1 C. Theod. *de natur. filiis*. See also Hunter's Rom. L. p. 622.

⁵Godefroy on l. 1 C. Theod. *de natur. filiis*. We find in his learned commentary the historical texts favorably combined for explaining the legal text.

Libanius was a pagan. Christianity, therefore, still had one rival among the counsellors of the Christian emperors, and Libanius also wrote the funeral oration of Valens.

Nevertheless, Valentinian III who reigned over the Occident under the tutelage of Placidia, undertook to withdraw those concessions, and to restore the legislation of Constantine. But his efforts were vain. Theodosius,¹ the younger, would receive the constitution only on condition that natural children should be maintained in the capacity which Valentinian I. had conferred upon them.² Accordingly the time was spent in making and unmaking, in advancing and retreating, in the way of half-measures and of a mistaken middle course. The law of the colleague of Theodosius was not inserted in the Theodosian Code, and left no impression on the Occident. The result of all these conflicts was, that natural children as well as their mothers could not be completely deprived of an inheritance in the gifts and legacies left them by their father,³ and legitimation which Constantine had only authorized as a transient remedy for children already born was converted by Justinian into a permanent measure, applicable even to all future concubinages.⁴ Concubinage was very widely prevalent⁵ until abolished in the Orient⁶ by Leo the philos-

¹Godefroy, respecting the law, 2, C. Theod. *de naturalib. filiis*.

²Godefroy, respecting the law, 2, C. Theod. *loco cito*, year 428.

³L. 2 and 8 C. Just. *de naturalib. liber.* and the Novel. l. xxxix c. xii, of that emperor.

Constantine first ordained that natural children should be made legitimate by the subsequent marriage of their parents. The law required that at the moment of conception the parents should have been capable of legal marriage, and that the children should ratify the legitimation; for no one was made legitimate against his will Sandars Justinian, p. 121.

⁴L. 7, C. *de natur. lib.* Heinnecc. ii. c. iv, n. 5 *in fine*.

L. 5 C. *ad Senatusc. Orphit*; Nov. xviii, c. v. Heinnecc. *loc. cit.*, n. 6.

⁵Vide. his. Nov. l. xxxix, xc, xci. See Hunter's Rom. l. p. 622. 6; as to the character of Justinian's legislation.

opher. But it lingered in the Occident with a sort of recrudescence; the Franks, Lombards and other Germans made a very disorderly use of it, and the clergy gave themselves up to it without reserve.⁴ It required a large portion of the Middle Ages to combat and extirpate it. It was necessary that the spiritual power, strongly centralized, should take possession of the head of society, and that men of an energetic will, such for example as Gregory VII. should employ their genius as well as their influence in that reformatory work.¹

Z. HAZARD POTTER.

(TO BE CONTINUED).

⁴In the appendix to the formulæ of Marculius, we find a formula which proves that among the Gauls the capacity of natural children was still more extensive than Valentinian I. had made it. Their father could bequeath them his entire estate when there were no other children; *form.* 52. That increase of rights arose, doubtless, from the mixture of the barbarian races, who scarcely distinguished legitimate from natural children. Bignon dans Baluze, t. ii. p. 653.

¹DuCange gives the text of some councils which tolerated concubinage; (*V. Concubina*) particularly that of Toledo, i. c. 17. See Cujas *Paratit.* on the title of the *C. de concubinis*; Novel. xviii; and in his *Observations* liv. V. c. vi. Salvien, *de Gubernat. Dei* lib. iv, p. 73, 74. Edit. of 1663 with the notes of Baluze. Concubinage was entirely prohibited in the Eastern Empire by Leo. The ancient German laws recognized an informal connection of the sexes, in addition to regular marriage and a similar relation called Morganatic marriage became customary during the middle ages. Out of the usage known as Morganatic marriage has sprung a code of matrimonial law by which the union of princes with persons of lower rank, in other than Morganatic forms, involves serious consequences especially toward the lady. The death penalty was actually enforced in the case of the beautiful and unfortunate Agnes Bernauer. The British Royal Marriage Act, 12, Geo. iii. c. ii, reduces every marriage in the royal family not previously approved by the sovereign under the Great Seal, to something resembling a Morganatic union.

THE WITNESS OF SCRIPTURE TO CHRIST

—THE PROOF OF ITS AUTHORITY.

When one tries to separate himself from the influences of his Christian education, and consults with an impartial mind, the reverence and supremacy that is accorded to our Bible, the question naturally arises. Why should this Book be accepted as a standard of truth, what is there in it to give it its present authority over the belief and lives of men? Running hastily over its contents, it appears to be composed of many lesser books, part of which relate the history of a small and uncultured people, part contain the songs of their poets and the teachings of their prophets, while the whole is supplemented by an account of One who pretended to be, but who was accepted by only a few, as their Messiah and King. The nation among whom this book had its origin, did not belong to the great and civilized peoples of the Old World; the language in which it is written cannot be classed among the finished and polished forms of human speech; the manners which it portrays were those of semi-barbarism. How is it that such a book, springing from such a people, is venerated and obeyed by the foremost nations of the earth, and is held by them to be the very Word of God? It is not because it is the only book that claims to be a revelation from on high; for there are several other volumes which are held by large masses of mankind to be the Sacred Scriptures. It is not because it is the only one which has any internal evidence of its Divine authority; for the more we learn of the ancient

religions of Asia the more do we become convinced that to their prophets also the Lord revealed Himself, though not with the fulness and clearness vouchsafed to the Hebrew seers. Not from Sinai and Horeb alone has the voice of God spoken to men. In China, in India, in Arabia, He left not Himself without witness; and though the Bibles of these people are filled with the false speculations of the human intellect, yet they contain much that is elevating and inspiring, pure and good, and much, therefore, that must have come from the great source of all truth. What right, therefore, have we to exalt our Bible above all His other revelations, or to say that in it alone must the truth of God be searched for, because in it alone can that truth in its fulness be found? To find an answer to this question is the object of the present paper.

We shall seek no other support of the Christian position than such as may be found in the Book itself. A closer examination of the Bible will show us that it is not the heterogeneous collection of historic facts and poetic thoughts, that it might at first sight have appeared; but that through it all there runs a living unity. Its history is not a disconnected record of the acts of Jewish heroes, but a development; its poetry not the vague guesses at truth of Israel's thinkers, but the gradual revelation of a truth that mankind needed to know. All its different parts written at different times, by different men, speak of a common hope that bound their nation together. All its narratives, and exhortations, and instructions point to one Central Figure. The idea of a Messiah occupies each successive book, and makes our Bible a unit. The national chronicle tells us how the people were prepared for His coming, how through degeneracy and captivity they were taught their own weakness and need of a Saviour. The prophetic portions keep the glorious expectation alive in breasts that else might well grow despondent, and sketch in all its essential outlines the character of Him Who was to deliver Israel. This hope, this idea is one of gradual

development. At first the true nature of the Coming One is known but dimly, but towards the end He is portrayed in unmistakable signs. His work, His humiliation, His glory are all revealed; and it would be no hard task to write almost the whole story of the Gospels in words that were uttered centuries before the Cross was raised on Calvary. In the account of the Fall there is promised to Eve that one of her descendants should bruise the serpent's head. By man had come death; by man was to come Redemption. This promise, given generally to humanity, is at the time of the call of Abraham, narrowed to the nation of his children. From among God's chosen people was His chosen servant to arise. Jacob again limits the ground whence the Messiah is to spring, to a single tribe—that of Judah. And at last when David is placed upon the throne the honor is confined to his family; so that men need not look for the future king outside the royal race, or believe any pretender to the Messiahship, who cannot claim the Son of Jesse as his ancestor. In later prophets the very place of the birth of Christ is pointed out; His mission of sacrifice foretold; His glory as the exalted Son of God is depicted; His ultimate dominion over all the world is promised. The thought that He is to come points every warning, inspires every appeal, that the prophets make to backsliding people. That thought sheds its beams of hope upon the darkest passages of the national history and enables Isaiah and Jeremiah and Ezekiel to see beyond the gloom of defeat and exile the flood of glory with which the Messiah's reign is to fill the earth. Christ is the main theme of the old as He is of the New Testament. The making ready the world for Him underlies every stage in the development of Israel's destiny. The convincing of mankind that beside Him there is no Saviour, is the purpose of all God's dealings with His people. It was with reason that Jesus, as He looked back upon those sacred writings and saw how through them all He was described and predicted, took His stand upon them fearlessly, and

called upon His adversaries to search the scriptures, for, He knew, they testified of Him.

This truth of the Bible's witness to Christ is the only ground, we think, on which its authority can be upheld or belief and acceptance from all men be demanded for it. Men have grown accustomed to take it unquestioningly as the Word of God, as indeed it is, but if asked why they claim that it is inspired and revealed from above, are often unprepared with an answer. Few ordinary lay Christians can give valid reasons for a belief which they prize among their dearest possessions. But if they once become firmly possessed of the idea here presented, their faith in the Holy Scriptures will rest upon a rock that cannot be shaken. For whence else than from Christ does the Bible derive its authority? What but the fact that it tells of Him; and that He has stamped the seal of His Divine sanction upon it justifies our allegiance to this collection of Hebrew literature? We cannot support its authority on its own assertions of its truth or its own demands for acceptance. That would be to beg the whole question, for until men have admitted that a book comes from God, they will not acknowledge their obligation to obey it merely because so commanded.

The fact that the Jewish people considered this volume as a revelation, will not convince the Gentile unbeliever, for other nations have books for which they make like high claims; and why should we accept Israel's Bible more than those of India or China? Internal evidence, the proof from the character of its teachings, is not alone sufficient, for adversaries might say that its morality was like in kind, though perhaps higher in degree than that of Confucius or of Buddha; and if that be our main support, we have no means of meeting the objections that arise from the defective state of morals which must be admitted to have the apparent sanction of the Old Testament Scriptures. The only sure position is to take Jesus as the sole source of the authority of the Bible. We accept it as God's Word,

because it predicts His coming, and bears witness to His character and because He Himself quotes its words as the words of His Father.

But, it may be said, this is the merest reasoning in a circle. You believe the Bible because Christ has declared it to be of Divine origin; but what do you know of Christ, except through the Bible? Must you not, before you can admit the authority of Jesus at all, admit the authority of the Scriptures that tell you of Him and accept them as Inspired Truth? To hold the position we have taken it is not necessary to start with any unwarranted assumption. We begin by taking the four Gospels, as we might any other documents of antiquity, as claiming to be nothing more than simple historical narratives. We examine them, and find them worthy of belief not because we are told they are divine but because they are straight forward accounts of certain facts that once took place, bearing on their face the mark of truthfulness. The authenticity and genuineness of these accounts have been subjected to the closest criticism. They have run the gauntlet of hostile scrutiny unharmed. Their divergences, their unity, their simplicity, their candor convince us of their truth. The story they tell we therefore accept as trustworthy. In them we learn of one Jesus, who claimed to be the Son of God. His remarkable and sinless character, the purity of His teachings, the nobleness of His life, support that claim. His mighty works of healing, and, above all, His own resurrection after having been three days dead, prove it; the wonderful results of His work in the growth and vitality of the Church, place it beyond the possibility of a doubt. Here we have therefore to start with a fact which depends on no preconceived theory of the inspiration of our Bible, but which we accept as we would any other fact of the past, on the authority of eye witnesses. But that fact is a stupendous one; it is nothing less than that God has become Incarnate and has taken upon Him our human flesh, that Jesus of Nazareth, the Galilean teacher crucified

under Pontius Pilate, was sent of God, was the Son of God, was the Lord of glory. But if we have reached this conception of Him, then we are forced to the conclusion that He was infallible in all His sayings, that He was the Truth, and every doctrine or opinion that He in His Divine wisdom approved, we can adopt confidently in our belief. As the only begotten Son who was in the bosom of the Father, He cannot be mistaken, and therefore He cannot mislead. Now we find that He acknowledges the validity of the claim of the Jewish Scriptures. He cites them from Moses to the Prophets as the Word of His Father, the revealed truth of God. Hence we feel that we shall not be far wrong if we take this book for our guide, believe its doctrines, obey its precepts, and call upon all men to make it the rule and standard of their conduct, their inspiration and comfort in every duty and experience of life.

But lest there should be any doubt of Our Lord's expressed opinion as to the authority of the Old Testament, there is another line of thought, which will lead us to the same conclusion. It has been shown that through all these ancient books the idea of the Messiah is prominent. All the thoughts, all the facts are grouped about that as a centre, and derive meaning and light from it. This fact has often been used to sustain the Christian's belief in the Divinity and Messiahship of Jesus, and it builds up a strong argument for our faith. The accordance of His work and character with the minutest details of prophecy is remarkable and points unmistakably to His true nature. But the agreement of these predictions with the later occurrences of the Gospels may be pressed the other way and made to prove not only the Divinity of Christ, but the Divinity of the Scriptures. For having once established the truth of the evangelical account of Jesus, we cannot explain the fact that these early writings point so clearly to Him; except on the theory that they were revealed from above. Two instances may serve to illustrate this point.

The character of the Messiah, as it appears in the Old

Testament, is not one that the Prophets could or would have drawn had they been left entirely to themselves. It had much in it that conflicted with their ideas of the majesty and glory of the coming Deliverer, much that was out of harmony with the hopes and wishes which would naturally fill the heart of Israel. The tendency of the human mind is ever to look forward to the future as a time of brightness and gladness; and an expected Saviour is not commonly portrayed as suffering and failing. So true is this, that even with the Divine predictions before their eyes, the Jewish nation could not believe that the Prophets had their Messiah in mind, when speaking of the Man of Sorrows. But contrary to what must have been their own desires, contrary to the notions prevalent among their hearers, the ancient writers frequently cast dark shadows on the glorious picture they paint, and reveal a despised and rejected Christ. It is needless to dwell here on the accuracy with which their sad descriptions, so unnatural and unwelcome to the Jewish mind, were fulfilled in the person of Jesus.

In a second respect the Prophets run contrary to all the opinions of their day and race, and foretell a strange feature of the New Dispensation which the history of the Church has fulfilled. This was the admission of the Gentiles into equal privileges with Israel. What could have been more opposed to the common thought than this? Amid all the humiliation of natural dissolution and personal slavery this hope sustained the proud Jew, that the day was coming when God's people should be the foremost nation of the globe, when Jehovah should work direful vengeance on those who had oppressed and enslaved his chosen. The Messiah's reign was to restore Israel to her full inheritance. God was to dwell visibly in Zion, and the haughty Gentile to be given over to temporal and eternal destruction. But a different conception of things appears often in the Old Testament. Jehovah was not forever to be Israel's exclusive possession. The kings of the earth were to come to

the brightness of the Messiah's rising, not as mere tributaries and captive enemies, but as sharers in the light of His glory. In Him were the Gentiles to trust, and He was to be the God of those of whom Israel was ignorant, and whom Jacob would not acknowledge. We know how difficult it was for the Apostles to overcome their prejudices and open the doors of the Church to the uncircumcised. How strange must this thought have been to one living in an age when even the external barriers of intercourse had scarcely begun to be removed.

Thus in two most important respects did the Scriptures bear witness to Christ. They not only reproduced all that was true in the general expectation as to the coming of a Saviour, as to His glory and dominion, but represented Him in ways that were repugnant to Jewish feelings, spoke of His humiliation and suffering, foretold the admission of the Gentile world to the privileges of Jacob's birth-right. These truths which are so abundantly confirmed in the Person and Work of Jesus were manifestly known to the Prophets of old. Now, whence could this knowledge have come? How is it that the Hebrew writers were able to foresee so clearly the nature and mission of God's Son? It was not because they merely gave utterance to the general opinions which existed among the people on the subject; for in two vital points as we have shown, their teaching was directly opposed to the prevalent belief as to the Messiah. We can see no other way of accounting for this gradual development of the want, this increasing revelation of the character of the Saviour, except by looking upon it as the work of God. Let any one study the conditions of the problem and he must in candor adopt this as the only solution. In a series of books written at intervals through a period of more than a thousand years, there is prominent One Majestic Figure, Who, revealed but dimly in the beginning, grows more distinct with the increasing light of ages. Each witness to Him adds some new feature, and yet contradicts nought that has been said before. At

last, in the fulness of time Jesus appears. At first there seems little to support His claim to be the One of Whom Moses and the Prophets have spoken, but now that His life and work on earth are ended, we can see how closely His character and history accord with all that was written aforetime. He is the One whom their inspired vision saw through the long vista of centuries. Can we soberly call all this the work of chance? These men did not *accidentally*, by processes of merely human thought, work out this conception of the future deliverer, nor did Jesus of Nazareth only *happen* to fill out all the outlines they had drawn. Better is St. Peter's explanation that holy men of God spake these things, being moved thereto by the Holy Ghost. The Scriptures testify of Jesus, and the wonderful agreement of prophecy with fulfillment convinces us that they were written through Divine Inspiration, for a grand and holy purpose, and can safely be accepted as the Word of God.

We are aware that such truths as these are familiar to the thoughtful readers into whose hands the REVIEW is apt to fall. But we think a wider dissemination of them is necessary in these days of general unbelief. Scripture viewed mainly as a witness to Christ and held to be of importance in proportion as it bears such testimony, would not only place our faith on a sure foundation, but would save the Church from that superstitious, and therefore unworthy, way of looking on the Bible, which is only a source of weakness to the Christian cause. Protestants are often accused, and sometimes, we fear, justly, of being mere book-worshippers. Having inherited from our fathers reverence for the sacred Scriptures, we exalt all their parts to places of equal honor and fail to see the living purpose that gives life and meaning to the volume. Our notions of truth become narrowed; our respect for God's Word sinks from the homage of thoughtful, earnest believers, almost to the level of a blind superstition. We allow the Bible to stand between us and the Saviour, and with the doctrines we have drawn from these pages we make a barrier to shut

off from our souls the presence of the living Christ. Thus our position by its very security becomes insecure, for when infidelity attacks with apparent success, some minor point of our Faith, we think the whole system in danger of falling. We deprive ourselves, too, of that blessing which the Bible was meant to convey—the knowledge of Jesus; for the Book itself, not the man greater than the Book, becomes the chief object of our veneration. The proper use of Scripture is to treat it mainly as a witness and a means to Christ, to make Him the key by which we shall interpret all its different portions. For every verse may be said to point more or less directly to Him, and becomes valuable in proportion as it adds to the general testimony to the Saviour. All the parts of the Holy Volume are indeed written by the Inspiration of God, but it does not follow therefrom that all are equally important. Some books are purely historical, and the Spirit of God guided the pens of their writers only so far as to make the record authentic. Some reproduce the struggles and aspirations of the human heart, and in these the Divine agency appears merely to make the representation truthful. While in some the essential truths of God's Nature and the way of salvation are revealed to the authors of Scripture, and in these the Holy Ghost seized on the mind of the human instrument, and used it for the benefit of mankind. But in all—History, Law, Poetry, Prophecy—the one idea of revelation is ever kept in view, and all add more or less directly to its development. The narrative portions show the sinfulness of men without God, their righteousness through Him. The Law becomes a schoolmaster to lead men to Christ by convincing them of their guilt. The Psalms speak of the soul's aspiration after a helping Lord and its joy in Jehovah. The Prophecies warn men of their danger and point them to their refuge. And thus the whole becomes useful to humanity wherever humanity is found, because to a greater or smaller degree it tends to lift the darkness which surrounds us, and to show us the

true Light of the world. To the extent to which each writer contributes to this needed knowledge does his work rank in value. We may not hold Gospel and Pentateuch, Psalm and Proverb, Chronicle and Prophetic Vision as one dead level. The Christ-idea is the magnet which binds all into a whole, but like a magnet, it attracts closest to itself the parts which have affinity for it, which contain the clearest revelations as to the Coming One.

In such a light as this should the treasure committed to us be read and studied. Its every word should be valued as a part of the oracles of God, but every word should not be valued alike. The Scriptures are to be searched, but not with thoughtless and unreasoning superstition. Mere acquaintance with their pages is not to be the end of our researches, nor should men be taught to depend on *them* as their hope of salvation, but through them as a means we must learn to come to the Christ to whom they bear witness, that in Him we may find eternal life. This truth more widely spread and more clearly understood, the Bible shall become more intelligible. The objections made to it shall lose their force, for all attacks upon it shall be seen to be upon the outworks only, not upon the citadel of the Faith. And more than all, the Holy Writings shall thus fulfill their intended purpose, in bringing the souls of men to the knowledge of the only True God, and Jesus Christ, whom He has sent.

EVERARD P. MILLER.

SOME LETTERS OF S. BASIL.—No. III.

After the death of St. Basil, his brother, St. Gregory Nyssen, pronounced an eulogy upon him, in which he uses the following language contrasting the condition of Cappadocia under his watchful and powerful government with that of all the provinces of the Eastern Empire: "What place," he says, "did not so great a catastrophe of the Churches overwhelm! What nation remained unattempted by the diligence of the heretics? Who that was of good repute in the Church was not driven from his work? What people escaped such indignities? Not all Syria, nor Mesopotamia, as far as the frontiers of the barbarians; not Phenicia, nor Palestine, nor Arabia, nor Egypt, nor the natives of Libya on the bounds of our inhabited world; not those in all these, the inhabitants of Pontus and Cilicia, Lycia, Lydia, Pisidia, Pamphylia, Caria, the Hellespont, the islands up to the Propontis itself; not those of Thrace, as far as Thrace was, nor the nations around it to the very Danube. Alone of all, the Cappadocian people did not experience the common calamity of the Churches; because our great champion rescued it in the time of trial."¹ At the beginning of the year 374, the affairs of the Church in the East were fast approaching the condition which justified this panegyric, nor was it so much of an exaggeration as might be thought. Demophilus at Constantinople, Euzoius at Antioch, and Lucius at Alexandria, were able to cover the whole Eastern Empire with their intrigues, and

¹Greg. Nyss. quoted in *Vita Basilii*, p. 135.

there was nowhere but at Cæsarea in Cappadocia, a man who was strong enough to resist them, favored as they were by the policy of the Emperor.

As the year came in, the aged Bishop of Nazianzum, father of the more celebrated Gregory Nazianzen, went to his rest, and Basil attended to pay the last mark of respect to his remains. Gregory, the son, who persisted in his refusal to accept the see of Sasima, was persuaded to undertake the administration of Nazianzum *ad interim*, and so to foil the efforts of the heretics to gain a foothold there.

About the same time St. Amphilochius was made Bishop of Iconium and Metropolitan of the new province of Pisidia Secunda, or Lycaonia, about which St. Basil had written to Eusebius of Samosata the year before. Amphilochius was a native of Cappadocia, and a friend of Basil and Gregory, a man of liberal education, and held in high repute, both for his probity and his talents. He was very unwilling to undertake the Episcopate, and, in fact, for some time previous to his consecration he had avoided St. Basil, for fear the latter would make a clergyman of him against his will. On being made Bishop, however, he wrote to St. Basil, attaching himself to his communion, and shortly after made a visit on invitation to Cæsarea, where he found Basil prostrate with severe illness. Besides attending upon his friend, he preached in the church of Cæsarea, and his sermons were so acceptable, that Basil, on inviting him to come again in September to the Feast of St. Eupychius, told him that the people desired his presence more than that of any other prelate, though they had many visitors. Having been bred to the bar, Amphilochius desired instruction from St. Basil, both in theology and canon law; and the latter not only wrote to him several letters on points of divinity, but also at his request, composed in this and the following year, his work on the Holy Spirit, and his three "Canonical Epistles" (Nos. 188, 199, 217), in which he digested into eighty-five canons the customs of the Church of Cæsarea on various matters of discipline. These letters

were of the same character as those which shortly after this time began to be sent to Western Bishops by the Bishop of Rome, to convey information or to answer enquiries about canons or customs, and which now figure in Canon Law as Papal Decretals.¹

It was a great help to St. Basil to have so trusty a fellow-worker as Amphilochius for Metropolitan of the new province, which had Iconium as its chief city, and he was enabled to make good use of him in extending the area of orthodoxy over the regions on which he bordered. Epistle 190 is to this prelate on the affairs of the Church of the Isaurians, which at this time seems to have been bereft of all its bishops. It illustrates the careful consideration that was necessary in the unsettled state of the Church, and the wise counsel that must be taken to avoid harm and to do good. The case was peculiar. Pisidia Secunda was a province made up of fragments, taken from other provinces, and among these was Isaura, a city which had formerly given its name to the province or district of Isauria,² the metropolis of which, under the new arrangements was Selencia. The changes made by the imperial government in the provinces were a source of constantly recurring trouble to the Church by reason of the disputes to which they led as to the rights of Metropolitans. They were finally set at rest by the rule that changes in the civil divisions of the country should not affect ecclesiastical jurisdiction; but this rule was not now in force, as we have seen in the case of Anthimus of Tyana and St. Basil; and, indeed, if it had been, Amphilochius himself would not have had metro-

¹ Authors who tell us about the "False Decretals," speak of the Epistle of Siricius to Himerius of Farracona, as the "first authentic decretal." In fact, it is the first decretal that was ever issued by the Roman pontiff; for, as we have shown in former articles, the pontifical authority was assumed by Damasus, the immediate predecessor of Siricius. Whoever will compare that Decretal with St. Basil's Canonical Epistles, will see that they are of the same character, and that St. Basil's are just as much decretals, as those of the Roman Pontiffs.

² Vita Basilii, ch. xxxii, sec. v. p. 195.

politan rights. Generally the dispute arose out of the division of a province¹ and the erection of a new metropolis, the bishop of which claimed jurisdiction at the expense of the metropolitan of the previously undivided province. But in this case a metropolis had been extinguished, the see being vacant; and it was feared that when a bishop was consecrated for Isaura he would claim the old metropolitan jurisdiction, coming into conflict with Amphilochius, and so attracting the notice and inviting the interference of the heretical party. St. Basil, therefore, considers several expedients: first, it would be better to re-district the country and divide the jurisdiction between several bishops, if good men could be found; or, if that were difficult, a single bishop might be placed in the city of Isaura, who should associate fit men with himself (as chorepiscopi?) according to the needs of the harvest. Or, this seeming inexpedient, the small towns and villages in which there had formerly been episcopal sees might be supplied with bishops before the principal see was filled; or, lastly, let the "circle" of the bishop of Isaura be defined, in which he may ordain, and let the rest be reserved to be filled up at leisure. The affair was evidently one of some difficulty, for Amphilochius had made no progress in it by the Summer of 375, at which time he invited Basil to a synod he had summoned to take counsel in the matter. At the time named, Basil was sick and unable to go, and it is probable the synod was postponed to await his recovery, since he made a journey into Pisidia later in the season. The Church of Isaura was reconstituted by the consecration of a certain Macedonius, who was allowed metropolitan rights within a limited district, the rest being reserved to Amphilochius.²

¹Valens made several divisions of provinces. Besides Cappadocia divided into two, Palestine was made into three, with metropolises at Cæsarea, Scythopolis and Petra; Cilicia, Syria and Phenice were each divided into two, and Arabia into three.—*Universal History*, vol. xiv, p. 259.

²Vita Basilii, p. 196.

At the same time with Epistle 190, St. Basil sent another (No. 191), which, although inscribed to Amphilochius, was evidently not written to him, but probably sent through him to Symposius, Bishop of Seleucia in Isauria. It was in answer to one seeking Basil's Communion, and is interesting, because of its reference to the letters of communion, which were so important in the polity of the Anti-Nicene Church, and which St. Basil desired to revive, as the means of consolidating the orthodox party. It is as follows:

"The letters of your piety having come to hand, we gave many thanks to God that we found the vestiges of ancient love in the words of your epistle; since you were not affected as many are, nor held yourself contentiously from beginning by your act the loving intercourse, but being instructed that the greatness of humility overcomes among the saints, you have thus chosen through taking the second place, to be manifested as having precedence of us.¹ For this is the law of victory among Christians; and he who accepts the lower place is crowned. In order, then, that we may not be left behind by your zeal for good, behold we ourselves salute your reverence, and we show our good will, because, by the grace of God, the concord of the faith being confirmed to us there is nothing else that hinders our being one body and one spirit, as we are called in one hope of our calling. It belongs therefore to your love to add to the good beginning its proper sequel—to collect about yourself those of the same mind, and to appoint a time and place of meeting; so that thus by the grace of God receiving one another, we may govern the Churches with the ancient form of love, admitting those who travel from either part as our own members, sending them forward as our own and receiving them on their return as from our own. For this was formerly the boast of the Church, that

¹Basil's meaning is that Symposius, by writing first, voluntarily put himself into the place of the inferior, when he might have properly required Basil to open the correspondence and ask for his communion.

from one end of the inhabited world to the other, the brethren of any church, being supplied with little symbols, found all to be fathers and brothers. Which now with other things the enemy of the Churches of Christ has taken away from us, and we are confined to our own cities, and every one holds his neighbor under suspicion. And why else, but that love has waxed cold, by which alone our Lord declares that his disciples should be characterized. And, if it seems good to you, do you first make yourselves known to each other, so that we may know with whom we shall be in accord. And then, by common appointment choosing some place acceptable to both sides, and a time fit for the journey, we may come to each other, and the Lord shall direct the way. May you be strengthened and cheered, and pray for me, and obtain for me the loving-kindness of the Lord."

In another letter (Ep. 218), written late in 375, St. Basil requests Amphilochius to send a trusty man into Lycia to find out those who are of the right faith there, since he hears that those of that province are alienated from the "Asian doctrine," and desire to be enrolled in the orthodox communion. The following extract shows how watchful Basil was of every opportunity, and with what care he informed himself of the condition of affairs in every locality. "If any one is about to go, let him seek out in Corydali, Alexander, a bishop of the monks; and in Limura, Diatimon; and in Cyri, Tatian and Polemon and Macarius, presbyters; in Patara, the Bishop Eudæmon; in Telmesus, Hilarion, the bishop; in Phelus, Lollian, the bishop. These and more a certain one has indicated to me as sound in faith; and I gave many thanks to God if some even in the Asian region are without heretical pravity. If, therefore, it is possible, let us observe them without [sending them] letters; and if we can trust them then we will send an epistle, and will take care that some one of them is invited to our assembly."

We return to the year 374. In the summer of this year

Eusebius of Samosata was banished into Thrace. St. Basil immediately wrote to Otreius of Melitine (Ep. 181), requesting him to send information of events at Samosata, and promising to keep him advised of what he might hear from Eusebius. He also wrote to the clergy and senate of Samosata (Eps. 182, 183), exhorting them to constancy under the persecution. The people of Samosata nobly fulfilled their vocation. Eunomius, the first Arian bishop sent there, finding that he could make no headway, and being a peaceably disposed man, very soon retired. He was succeeded by one Lucius, who tried violent measures, but with no better success.

On the whole, though the heretics could avail themselves of the secular power, and by its favor were still in the ascendant, there were not wanting indications that the tide was turning, and that constancy and fortitude would win the day. St. Basil began to be appreciated in the West. Although Roman ambition was for taking advantage of the sufferings of the East and turning them to its own account, and therefore coldly rejected the appeals of Basil and his fellows for sympathy and succor until it could extort an acknowledgment of superiority—and this is undoubtedly the true explanation of the rejection of St. Basil's letters, and their return to him by Evagrius, as related in our last—yet there were other influential bishops of the West who did what they could to strengthen Basil's hands, and who showed a true sympathy for him in his noble contention for the faith once delivered to the saints. Among these were St. Ascholius of Thessalonica and St. Ambrose of Milan. The former had written to Basil in 373, and now again in the spring of 374 he availed himself of the opportunity afforded by the translation of the remains of St. Saba to Caesarea,¹ to send one of those letters of communion of which Basil had spoken in his epistle to Sym-

¹He died among the Goths, on the Danube, having been sent into exile there. His remains were sent to Basil by Junius Soranus, Duke of the Scythian March.

posius. St. Basil expresses his joy at receiving it in Ep. 164.

* * * * "When I took the Epistle into my hands, and read it many times, and understood the overflowing grace of the spirit that was in it, it seemed that we had come upon the old times when the Churches of God flourished, being rooted in faith and united in love, there being an agreement of the different members as in truth in one body ; when indeed the persecutors were manifest, but manifest also the persecuted, and the people being made war upon increased in number, and the blood of the martyrs watering the Church, nourished the athletes of righteousness increased in number, those who followed rivalling the zeal of those who went before. Then, indeed, we Christians had peace with one another—that peace which the Lord left us, of which now scarce a vestige remains with us, so cruelly have we driven it away from each other. Nevertheless, our souls went back to that ancient blessedness when the letters came from afar blooming with the beauty of love, and the martyr came home to us from the barbarians beyond the Danube, preaching by his presence the rectitude of the faith sojourning there. Who shall describe the gladness of our souls at these things?" etc.

St. Ambrose became Bishop of Milan, December 7, 374. Immediately upon his consecration he opened communications with St. Basil by sending a deputation to request the return of the remains of St. Dionysius, who, it will be remembered, had been banished into Cappadocia by Constantine for refusing to consent to the condemnation of Athanasius, and who had died in exile. As Auxentius, whom St. Ambrose succeeded, had been an adherent of the Council of Ariminum, the translation of the remains of Dionysius was intended as a demonstration of St. Ambrose's determined orthodoxy, as well as an argument with the people for the ancient faith, and a manifestation of reverence for the memory of one of its most illustrious confessors. St. Basil sent the relics about Easter, 375, and with them

Epistle 197, which breathes the spirit of primitive Christianity, both in the exhortations to St. Ambrose and the remarks upon St. Dionysius. It is worth reading as illustrating the loving reverence shown to the memory of martyrs before the Church was entangled in the sophistries by which their worship was defended.

Ep. 197.—*To Ambrose, Bishop of Milan.*

"Great always and many are the gifts of our Master; nor can their greatness be measured, nor their number counted. And to those who receive benefits with good understanding one of the greatest gifts is this present one, that we who are separated by distance of place can be joined to one another by the converse of letters. A double way of knowledge is granted to us, the one by meeting together, the other by intercourse of letters. Since then, we know thee by what thou hast said—and we know, not by impressing the bodily character upon our memories, but by learning through the variety of discourse the beauty of the inner man—we glorify our God, who has chosen from every race those who are well-pleasing to Him. Who formerly indeed raised up a ruler for His people from the flocks of sheep, and exalted Amos from a goat-herd to be a prophet, making him mighty through the Spirit; and now He has drawn to the care of the flock of Christ a man from the royal city, entrusted with the government of a whole nation, lofty in mind, in illustrious descent, in splendor of life, in power of discourse, observed of all as to the life. Who casting off all the advantages of the life, and counting them loss that he may win Christ, has turned to receive the helm of the great and renowned ship, the Church of Christ, for the faith in God. Come, then, O, man of God, since not from man hast thou received or been taught the

¹ These occasional tautologies are in the original, and cannot be avoided in translating.

Gospel of Christ, but the Lord himself has translated thee from among the judges of the earth to the chair of the Apostles, fight the good fight, correct (if the Arian madness has touched any one) the weaknesses of the people; renew the ancient footsteps of the fathers. And haste to build upon the foundations which thou hast laid of love toward us by frequently communicating with us. So shall we be able to be near each other in spirit, though far apart in earthly habitations.

But thy reverent haste concerning the most blessed Dionysius, the bishop, bears witness to all thy love to the Lord, to thy respect for those who are gone before, to thy earnestness in the faith. For the mind disposed towards the faithful fellow-servants is lifted up to the Lord, and he who honors those that contended for the faith manifests that he has equal zeal for the faith; so that this one deed gives evidence of much goodness. And we make known to your love in Christ, that the most earnest brethren who were honored by your piety with the ministry of this good work first indeed earned praise from the whole clergy by the graciousness of their manners; for by their innate modesty they made known the common gravity of all. Then, using all care and diligence, they braved the impassable winter; then, with all constancy, they persuaded the faithful guardians of the blessed body to yield to them that which was the protection (*τα Φυλακτηρια*) of their own life. And know that no rulers nor powers of men would have availed to compel them, had not the earnestness of these brethren moved them to the concession. And the presence of our dearest and most religious brother Therasius the fellow presbyter helped very much to accomplish what was desired; who, of his own motion undertaking the labor of the journey, allayed the vehement impulse of the people there, and, persuading with discourse those who opposed, assisted the brethren in recovering the remains, taking them up with befitting piety in the presence of the presbyters and deacons, and of many of those who fear the

Lord. Which do ye receive with as much joy as was the grief with which the guardians sent them away. Let no one doubt; let no one question; this is that unconquered athlete. The Lord knoweth that these are the bones which bore the contest in union with that blessed soul. These with it shall be crowned in the righteous day of His retribution, according as it is written: we must all stand before the judgment seat of Christ, that every one may receive according to that which he hath done in the body. One chest contained that honored body; there was no one lying near him; the tomb was inscribed; the honor was that of a martyr. Christians who showed him hospitality, and who then laid him down with their own hands, now took him up. These wept, indeed, as bereft of a father and patron; but they sent him away, preferring your joy to their own consolation. Pious, then, are they who gave him up, diligent they who received him. In no way is there falsehood, in no way is there guile; we bear the witness; let the truth be without gainsaying among you."

JOHN H. EGAR.

(TO BE CONTINUED.)

HISTORY OF THE CHURCH IN BOHEMIA AND MORAVIA.

The unheard of indolence of the Emperor Rudolf induced his brother, Archduke Matthias, to act in his behalf. He made peace with the Turks, and entered into treaty with revolted Hungary. He promised to the Evangelicals in Austria and Moravia the free exercise of their religion, and so won their favor as well as that of the Hungarians. Carl von Zerotin exerted a powerful influence over Matthias. Matthias then came to Bohemia to win that country. Here the powerful evangelical nobility were anxiously awaiting deliverance. Beside Budowa stood Peter von

Rosenberg, who belonged to the *Unitas* and supported the evangelical cause with his great riches, while his private life but ill accorded with his religious profession.

Rudolf in his distress convoked a general diet, which he opened in person, and so gave his subjects the first opportunity of seeing him, which they had enjoyed for many years. Strange as it may appear to us, many wept for joy at the sight of their monarch! The Brethren and the Lutherans in the diet united their forces and covenanted that they would yield no point to the Emperor, until he granted their religious claims. These were—the recognition of the Confession of 1575; the appointment of *Defensores*, to guard the cause of the Evangelicals, and their possession of the Consistorium and the University. Absolute religious freedom must be granted to every soul, high or low, in Bohemia. While Budowa read the paper, the cry was heard on every side: "Let every one, who will not sign, be flung out of the window, according to the good old Bohemian custom!"

Deputies from Matthias now appeared, and among them Carl von Zerotin, bringing proposals from their master. The Bohemian Estates, however, resolved to present their petition to the Emperor. He promised them an answer on the following day, and peace was made between him and his brother, by the terms of which the Emperor surrendered Hungary and Austria to Matthias, and also gave up Moravia to his authority as Markgraf. On the 28th of January, 1609, Rudolf convened the diet once more, to decide the question of religious freedom. Prominent among the catholic minority for their zeal and obstinacy, were the ominous names of the Chancellor von Lobkowitz, the imperial councilor Jaroslaw von Martinitz, and above all, Wilhelm Slawata von Chlum—the men who nine years later began the Thirty Years' War, which desolated Bohemia and Germany.

The Father of Slawata belonged to the *Unitas*; but the son while travelling became attached to the Roman Church,

and entered its pale at the time of his marriage, in spite of the remonstrances of his father. The Protestants (as the evangelical bodies were now often called), had Budowa for their leader, and his energetic mind and will harmonized all their discordant elements. As the Emperor still delayed his accession to their demands, they sent him another deputation, prominent among whom was Count Matthias von Thurn, whose misfortunes in the Thirty Years' War are well known to history. It would occupy too much space to narrate in full, the long negotiations which followed. A brief summary must suffice.

The Emperor applied for advice to the Pope, and he replied, that the Brethren could not be tolerated as an organization—they must unite with the Catholics, or the Utraquists. The Lutherans now thought of severing their cause from that of the Brethren, but the power of Budowa prevented a fatal division, which must have resulted in civil war. As the Emperor still delayed his assent to their demands, Budowa on the 31st of March summoned all the Protestant forces to arms, and the diet was closed. The declaration of a Catholic official, that a Jew was more pleasing to him than fifteen heretics, increased the excitement. The Elector of Saxony sent a message to the Emperor, earnestly advising him to accede to the demands of his loyal Bohemian Estates, who alone had saved him from the power of Matthias. At length Rudolf decided to convoke another diet, and promised amnesty to all, who had taken part in the recent commotions. But Lobkowitz, Slawata and Martinitz steadfastly refused to sign the Emperor's decree. The diet was opened on the 25th of May. When the Oberst-Burggraf, according to custom, summoned the Estates to Mass in the Cathedral, only the Catholic deputies followed him, and the Protestant members remained in the hall, where Budowa led in prayer. As the obstinate Emperor still refused to accede to their demands, the Evangelicals chose thirty directors to represent and lead them, of whom at least nineteen, and perhaps more, belonged to the *Unitas Fratrum*.

At length the persistent courage of the Protestant Estates prevailed, and the Emperor issued the celebrated *Majestätsbrief*, a document so called because it was not the revocable decree of a monarch, but intended as an integral part of the constitution of the kingdom, like the English *Magna Charta*. On the evening of the 9th of July, 1609, it was signed by the Emperor alone, the Chancellor and Secretary refusing to attach their names through "scruples of conscience." Their consciences would not allow them to grant liberty to the consciences of others! "Thus," says Gindely, "the name of the Emperor stands alone on the most important document which, since the Golden Bull, a Bohemian king has ever signed." After two days, however, the name of the Oberst-Burggraf, with that of his clerk was added to it.

The document is given in full by Bishop Cröger, but is too long to be transferred to these pages. Suffice it to say that in express terms it granted the fullest religious freedom which the diet had demanded. The Evangelicals were permitted to establish churches and schools everywhere, to have a Consistorium of their own, while the University of Prag was given up to them. And to protect their religious rights they were allowed to choose *Defensors* with high official rank. This concession was to be binding on the rulers of Bohemia, so long as the kingdom should endure. A similar concession was granted to the Evangelicals in Silesia, and it was followed by an act of the Estates, in which religious peace and harmony was enjoined between all who received the Communion *sub una aut sub utraque specie*. To this also Martinitz and Slawata refused their signatures, and thus increased their unpopularity. The people were almost frantic with joy when Budowa on the 12th of July, announced that the Emperor had signed the decree which granted them (what the Jews of Prag already possessed), liberty of worship. On the 15th they held a thanksgiving, when the old Bethlehemskirche, where Huss had preached and which for so many years had been closed, was

again opened and given into the hands of the clergy of the *Unitas*. The decree was read in the church amid the pealing of bells, and then a *Te Deum* was sung. The sacred edifice was adorned with inscriptions and mottoes, amid which appeared the Lion rampant of Bohemia, with the lines :

Open ye gates, rejoice, O Lion; for *Rudolf* is keeping
Faith with the word which *Max* gave to Bohemia's land.

All Bohemia, wherever Protestants inhabited it, was full of triumph; and even neighboring Saxony kept a day of thanksgiving. But God alone could foresee how brief was to be the day of triumph and rejoicing, although the shadow of the Thirty Years' War loomed darkly above the peaceful horizon. At this time more than half the population of Bohemia belonged to one of the evangelical confessions, while many of the Catholics rejoiced with them in the triumph of toleration and religious peace. There was, however, a party of fierce Romanists, bitterly offended and grieved by the amnesty and determined at the first convenient opportunity to attempt its overthrow.

In the Autumn of 1609 the Evangelicals began to carry out their ecclesiastical arrangements. The first was the union of the Utraquists among themselves on the 29th of September. At this time it was decreed, that the adherents of the Augsburg Confession, the members of the *Unitas Fratrum*, and the remnant of the old Calixtine Church should henceforth be known by the common name of *Utraquists*, since they all received communion in both kinds. Their common Consistorium was to consist of an Administrator and five others, with a Bishop and two clergymen of the Brethren, and three Professors of the University. The Bishop ranked next to the Administrator. Matthias Cyrus (Bishop, 1611), Johann Cyrillus (1618), and Johann Corvinus represented the clergy of the Unity.

In the following year (1610) the diet chose *Defensors* to guard the Consistorium and the University (Carolinum), and to uphold the rights of the Utraquists. The diet chose,

and the Emperor, after a long delay, confirmed twenty-four *Defensors*, viz.: eight noblemen, eight knights and eight citizens. But the course of the diet plainly showed that there could be no lasting peace, and that the Roman Church would either crush its enemies, or be crushed by them. Eight of the *Defensors* belonged to the Unity, of whom the most prominent were Budowa, Loss and Koehan of Prag. Since the Brethren had not sufficient room in the Bethlehem Church, they were allowed to build others in the city. But this temporary and external union with the Lutherans was of great injury to the spiritual condition of the Brethren, as their own historians admit.¹ That the movement for freedom was patriotic as well as religious, is shown by the fact, that the diet proscribed the German language, and commanded that only Bohemian should henceforth be spoken.

To the zeal of the Utraquists stood opposed the fiery zeal of the Roman Church and the Spanish-Austrian party at the court. In this unhappy conflict the weak-minded Emperor became more and more involved. In order to become independent of both parties, and to escape from his dangerous brother Matthias, he threw himself into the arms of the Bishop of Passau, Leopold, who advanced with an armed force to the walls of Prag, intending to put to death all heretics. Here they were defeated by the troops of Matthias and the Estates. Count Thurn secured the person of Rudolf, and Matthias entered Prag in triumph. Rudolf was compelled to abdicate in favor of his brother, which he did with the exclamation: "Ungrateful Prag! to me dost thou owe thy wondrous beauty, and thus hast thou repaid my benefits. May the vengeance of heaven strike thee, and my curse light upon thee and the whole of Bohemia!" Matthias was crowned King of Bohemia, swearing to preserve its liberties, and Rudolf soon after (Jan. 20, 1612), died of grief and chagrin.

¹ Vide Cröger, ii, 223.

Matthias was now master of Bohemia, and was soon after chosen Emperor of Germany. But all the high hopes which had been placed in him were disappointed, and utterly vanished when in the year 1616, being without children himself he chose his cousin, the bloody *Ferdinand of Steiermark*, as his heir. The diet was surprised, when but few members were present, into a sudden vote of election, and after he had sworn to preserve the national liberties, they suffered Ferdinand to be crowned.

Jacob Narcissus, consecrated in 1594, was Primus of the *Unitas* from the time of Turnau's death in 1608, until his own decease (1611) at Brandeis. Among his colleagues have been named Zacharias Ariston and Johann Nemezinsky. The former died in 1606, the latter in 1598, both in Moravia. The successor of Narcissus as Archbishop was John Lanek, consecrated in 1601, who, having held the office for fifteen years, died at Kroliz in 1626, aged seventy-two, after he had witnessed the melancholy overthrow of his church and nation. In 1606 *Johann Crueiger*, in 1608 for Poland, *Martin Gratian Gertich* and *Matthias Kybinski* and in 1609 for Bohemia, *Matthias Koneczny* were consecrated Bishops. The last was a very learned man. In the year 1611, John Lanek consecrated *Matthias Cyrus* (or Gyrus), who died 1618, at Prag, and was buried in the Bethlehemskirche. In the same year *Johann Cyrillus* was consecrated. Six years before (1612), *Johann Turnow* (a nephew of Theophilus) and *Gregor Erastus* had been ordained Bishops; the former for Poland and the latter for Bohemia.

The *Unitas* in Poland was governed by the Bishops, Matthias Pybinius (*Pybinski*) and after him Martin Gratian *Gertich*. The former, by birth a Bohemian, was consecrated in 1608 at Leipnik, and died in 1612, at Posen, aged forty-five. He was an accomplished man and translated the Psalms into Polish verse to be sung to the French tunes, which were then extensively used. One of these melodies we still sing in our churches—the famous Old

Hundred. Gertich, the son of German parents, died at Lissa, March 7, 1629. He lived to see the melancholy days of the Thirty Years' War, and the overthrow of his church in Bohemia and Poland. Twice (in 1612 and 13) was an effort made to renew the union of the Brethren, Lutherans and Reformed in Poland, and in each instance the effort failed.

(TO BE CONTINUED.)

THE CUSTODY OF CHURCH PROPERTY.

There is an evident uneasiness manifested throughout the whole Church in regard to the present manner in which our Church property is held. The recent final decision of the case of Christ Church, Chicago, on the ground that the trust for the Protestant Episcopal Church was not with sufficient distinctness declared in its title, has caused the question to be asked, what the courts consider a sufficiently clear title? Is any of our property safe from the danger of being alienated from the uses for which the original donors intended it? There have also been lately, in various parts of the country, some glaring instances of misappropriation of Church funds. Several valuable properties have been lost to the Church, and others saved only by the most strenuous exertions. The community has been startled by the discovery of the enormous debts with which some of our largest and most important churches have been allowed to become encumbered, debts which for a long time have been a terrible burden to carry, and in these hard times have very seriously jeopardized many valuable properties. These facts have aroused the mind of the Church to consider the question whether the habit into which we have fallen, of intrusting our property to a multiplicity of small, independent corporations, is wise or safe? Some of our Bishops have had themselves constituted as corporation sole, and are endeavor-

oring to obtain possession of all the Church property in the diocese. The present Bishop of Iowa has had transferred to himself the property of the three churches in Davenport, and refuses henceforth to consecrate any church until the title deeds shall be vested in himself and his successors in office. In several other dioceses trustees to hold Church property have already been appointed, or the diocese itself incorporated. And in the recent conventions of Michigan, Western Michigan, Indiana, Delaware, Easton, Central Pennsylvania, Rhode Island and New Jersey, committees were appointed to consider the whole question of the tenure of Church property, and report to future conventions. Most of our Church papers also have lately been calling attention to the same subject. Manifestly, then, the mind of the Church is moved in this matter. There is a widespread uneasiness, an impression, that as our Church property is now held, it is not as safe as it should be, nor is it administered to the best advantage. It is well worth while, therefore, to enquire how far this is the case, and, if so, what practical remedy can be suggested.

The general system which has prevailed hitherto throughout our Church, is that of having each parish constituted a separate, legal corporation, having entire ownership, control and disposition of the property belonging to it. The only restrictions upon the action of these bodies are certain general and diocesan canons, providing that no church shall be consecrated until free from debt, or mortgaged or alienated after consecration except with the consent of the ecclesiastical authority. But these restrictions can be entirely avoided, either by allowing churches to remain unconsecrated, as is the case with some of our wealthiest parishes, or by accumulating debts in other ways than by mortgage, which, however, are just as much a lien upon the property; so that the sheriff may seize and sell it out without asking or needing any ecclesiastical consent. Practically, therefore, our parishes are almost absolutely free to administer and dispose of their property as they choose. And, this being so,

is it not diametrically opposed to every idea of Diocesan Episcopacy? Is not the cry going up all over the land that our parochial system is pure congregationalism? Our Church property is held and administered not for the good of a diocese as a whole, churches are not built and maintained according to the spiritual needs of a district, but simply for the interests of the individual parish, according to its prospects of financial support. Hence there arise among the parishes of the same diocese, all the rivalries and antagonisms, and efforts to supplant one another, which are witnessed among the different denominations. Costly churches are crowded together in wealthy districts, while vast, densely peopled, poor districts are provided for only by a few miserable mission chapels, or by some old churches which have been left stranded by the receding tide of wealth, and which only maintain a most feeble and inefficient existence, until an opportunity offers for a successful financial transfer to a richer neighborhood. There is not a single diocese in the union which does not present this spectacle, and it is the natural necessary outcome of our financial system. As long as the Church deliberately allows the funds belonging to it to be vested, not in trustees who have the interests of the whole diocese at heart, but in those having only local and individual interests, no other result can be looked for. To what purpose is it to enact canons prohibiting the building of new churches within certain distances of, or without the consent of existing churches? That only protects these parochial interests, and is a hindrance to Church growth. What is wanted is a power in the diocese itself, which shall be able so to control and direct the Church property in it, that it shall be used for the good of the whole, and churches be built and maintained only in accordance with the spiritual wants of the several parts. The theory and ends of Episcopal government can never be answered till that power is obtained.

But even supposing that this system of separate parochial corporations was consistent with our theory of Church

government, which it is not, are our parochial trustees wise and efficient administrators of Church property? Is it even safe in their hands? In the first place let us consider how these corporations are constituted. They consist of the rector and from eight to twelve vestrymen. The latter are supposed to be elected by the pew holders or worshippers in the church. But practically they never are, excepting in the case of a contested election. In every parish in the land, the vestry are really appointed by the rector, or by one or two influential members of the congregation. To how large an extent personal preferences, or opinions, ecclesiastical views, temporary interests, and above all pecuniary considerations, enter into the motives governing such appointments, it is not necessary to point out. The rector or the lay-pope of the parish may be the most conscientious men in the world, and in making up the ticket for the annual vestry election may put on it only the men who in their judgment are best for the interest of the parish, and yet the considerations which weigh most with them may result in the selection of those who are the very worst possible trustees for Church property. One rector may consider it the all-important thing to have his vestry filled with men who will support his ecclesiastical views, no matter how incompetent as business men they may be, or how little interest they may have in the temporal welfare of the parish. Or—and this is most frequently the case—a man is selected for the vestry, simply from his pecuniary or social ability to be of benefit to it, no matter what may be his religious opinions or manner of life. Indeed, whether he have any belief at all, is often considered a matter of no importance if he is a rich man, and it is thought something may be gotten out of him by putting him in the vestry. It can be asserted, without the least fear of contradiction, that this is the chief motive governing the selection of vestrymen in the vast majority of parishes in the land. Consequently our vestries are filled with men who are not only often non-communicants, but many who seldom even

go to church at all, men whose only interest in the Church is because their wives and children go, or because some social influence or prestige, or business, or pecuniary advantage may result from their keeping up this connection. Is it likely that such men will prove conscientious, careful, painstaking trustees of Church property? And even if our practice corresponded with our theory, and our vestries were really elected by the congregations, there would be no security that the same, and even lower motives would not control the appointments. Partisan aims, especially, might easily override every other consideration. Then again the constituency of our parishes is so fluctuating, families are so constantly moving, districts so rapidly change. A parish that is now full of wealth and refinement may in a few years become poor and deserted. And so many of our churches are such feeble, ill-considered enterprises that it is frequently found difficult to obtain the requisite number of men of any sort to fill the offices. Consequently persons are frequently put on from very necessity, who from sheer ignorance and incompetence, are utterly unfit to discharge any position of trust. There are Church properties in the land which are in danger of falling entirely under the control of one or two individuals who are the very last persons in the world to whom this should go, or even in some cases of having no one at all to claim or represent them. Then again, once a vestryman, always a vestryman. If through some blunder an unfit man has been put on a vestry, or after having been put on proves himself unfit, it is almost impossible to remove him. It would often ruin the temporal prosperity of a parish to attempt at any future election to drop him. And, on the other hand, vestries are so carelessly elected that at any time designing or unscrupulous persons might, by a surprise, turn out an old vestry; put in others who would be legally elected, and yet be in no wise the representatives of the congregation, and who might seriously injure, if not alienate, the property before they could be displaced. We hold,

therefore, even as a matter of theory, that our church corporations are too loosely constituted and subject to too great dangers and vicissitudes to be safe custodians of property.

But, beyond this, how is it with the practical working of the system even under the best circumstances? Take the case of the vestries of our largest and most intelligent congregations. Consider the position of a vestry. It is a corporation having charge often of large financial interests; it is to a great extent a business venture. And yet it has not simply its own interests to consider; it is professedly only part of a diocese; it is to be governed by spiritual considerations; it is to build for the future as well as work for the present. But how often do we find vestries governed by financial considerations and no others. The one question always is, how the revenue can be most increased, how the concern can be made to pay best, and with the least possible call upon the pockets of the vestrymen themselves. Naturally, therefore, the interests of the parish alone are considered. The average vestryman is a simple congregationalist, he never thinks of the diocese, excepting as he may be interested in some general institution, or is a representative in the diocesan convention, which possessing no property, is practically powerless to do much for the diocese as a whole. So for the parish itself the financial question is so imperative that the spiritual needs of a district or wants of a congregation, must entirely give way to it. The one point considered is how can the church be supported; how ends be made to meet, in what locality or by what means can it be made most—not spiritually—but financially successful? Now we are arguing for good business management of our property, but we hold that the one object of that management should be the spiritual good of the district to which it belongs, and that is not the first consideration of even the best of the vestries that now hold it. So as regards the future, what vestryman thinks of that? He is only elected nominally for a year, so he has no responsibility beyond. It is natural, therefore, if the

present and future interests of the parish clash, that the present only should be considered, especially if providing for the future involve any extra call upon the present members. If a vestry is fortunate enough to possess any property beyond its church edifice, etc., the temptation to use it for improvements or for current expenses has been found almost always too great to be resisted. Many parishes could be mentioned which have lived for years on the principal of funds which should have been preserved inviolable as an endowment for a day when there may be within its limits far less wealth and far more poverty. In one case where an endowment had been expressly raised to preserve an old church in a poor district, the warden deliberately encroached upon the principal on the ground that all the property of the church was liable for any obligations it contracted. In one of our wealthy city churches a large—and in the judgment of outsiders useless—addition has been lately made, not by the subscriptions of the congregation, but out of money which had been left to it, and which in the near future will be required to preserve the church from destruction. In another case large tracts of land received from colonial times have been alienated to defray current expenses, which had they been preserved, would have constituted a most valuable endowment. So notorious is the fact that vestries are not faithful trustees of money given to them, that it has now become the rarest thing for them to receive any such benefactions. While our hospitals and other like institutions are gradually accumulating handsome endowments, no one thinks of leaving money to parishes, though they naturally would excite greater personal interest, simply because their future is altogether too uncertain: there is really no security that the money would be used in accordance with the donor's wishes, in fact every likelihood that it would not be. For even if you were sure of the intelligence and faithfulness of the persons at present constituting a vestry, you have no security whatever how it will

be constituted ten, five, or even one year hence. I know of a vestry possessing something of an endowment fund, in which the propriety has been seriously discussed of investing it in a trust company, in order to prevent its being tampered with by future vestries.

So again the temptation of providing for the present needs of a Church, without any regard to the future, by allowing large debts to accumulate, or by mortgaging the property in some way, is a very great one. Instead of keeping expenses within the ordinary receipts, or making special efforts to meet them, some of our largest parishes indulge in extravagances they cannot afford and meet them by permanently encumbering their property. So, too, under our present system, each parish has to shift entirely for itself, there is no way by which the strength of the wealthy parishes can be made available for the support of the weaker, except by an ignominious, miserable, and utterly uncertain system of begging. No matter how great the spiritual needs of a district may be, the only way in which a church can be supported within it is from the resources that can be drawn from the district itself, how poor soever it may be. Consequently our churches in poor districts, the very places where they are most needed, are very few and very feeble, and they are in constant danger of extinguishment. A slight shifting of the population, the removal of one or two families may deprive them of the little support they have, then they can no longer make both ends meet. They fail to pay the interest on the mortgages with which they are almost always encumbered, and they fall into the hands of the sheriff. In all our large cities properties can be pointed to which were once churches, but which have passed in this way to the Roman Catholics or one of the denominations, or worse still, been converted into places of business or, public amusement. And in the uncertainty of the future, owing to the rapid growth of population, and the change of the character of localities, there is not a church in the land, however unlikely it may

seem now, which is safe from the possibility of such a fate. So that the troubles of which we are speaking are far from being imaginary. The less than a hundred years which have passed since our existence as a separate national church have witnessed a really vast amount of mismanagements, misappropriations, alienation and loss of Church property which might have been avoided had the titles of our property been otherwise vested.

There is another evil connected with this system. These feeble, struggling parishes, scarcely able to keep themselves afloat, these vestries made up of any material that can be scraped together, even of the most unchurchly elements, have just as much interest and voice in our diocesan conventions as any others. Their vote tells for as much as that of the most cultured and wealthy parish. Our dioceses in fact are ruled for the most part by the representatives of the feeble and moribund parishes, as they are generally far superior in point of numbers to those which are strong and self-sustaining.

Is it any wonder that in view of all these facts there should be no little uneasiness in the mind of the Church upon this subject, that on all sides we have the present vestry system decried, and the question asked what practical remedy can be suggested? I propose to consider whether in this very important matter of the title of our property, some remedy for the present evils can be found.

The two chief remedies suggested are, either to have each Bishop constituted a corporation sole, capable of holding all the property of his diocese in trust, or to have a body of Diocesan Trustees. In regard to the former proposal, it is only in some of our States that the law recognizes or allows such a trust, and even where it is allowed, the objections to it are that it throws an amount of responsibility and of business upon the Bishop which he ought to be spared, and it is hardly in accordance with the genius of our Church to put so great a power as it would involve into the hands of any one man.

We think that it is generally agreed that the only way in which the dangers of our present system can be avoided, will be by having our property vested, not in the multitude of small, weak, inefficient, uncertainly constituted and selfish corporations, as it is now, but in one strong, intelligent, representative body of Diocesan Trustees, which will hold and administer all the property of the diocese for its good as a whole. Such a body would have to be representative, not a close corporation, but elected by the Diocesan Convention, and responsible to it, though its election would have to be guarded against the surprises and tricks of partisan warfare. It would be intelligent, because it could command the best talent in the diocese. And it would be strong, from the interests it would control, from the prudence with which its affairs would have necessarily to be managed, and from the confidence it would be sure to inspire. If such a body were constituted in every diocese, and the title of all our Church property vested in it, it would be safe from alienation or loss, because such a body would not accept any property that was not financially sound, nor would it have any personal motive for allowing it to be subsequently encumbered. It would certainly command the confidence of the community, and being responsible to the Diocesan Convention, and all its transactions subject necessarily to public scrutiny, there would be no danger of misappropriation of funds or violation of trusts. Donors would be sure that their wishes would be strictly, legally complied with, so it would be certain to secure large benefactions, like our hospitals and other similar institutions. Persons would give or leave large sums of money to it, knowing that these would be always used for the good of the Diocese, when they would not think of giving to individual parishes, which are wholly irresponsible as to the use they make of their funds, and whose future cannot possibly be prognosticated. In this way the strength of the wealthier portion of the Diocese could be made available for the weaker.

Churches could be built and maintained in districts where they were needed. Personal preferences, fancies and abilities would no longer be the sole motive governing the erection of churches. No crazy, rotten, paper corporations would be launched into existence as full blown parishes. The name and sanction of the Church would be given to no enterprise, unless there was an assured guarantee of its support. If existing churches should, through adverse circumstances, become incapable of self-support, funds would soon accumulate in the hands of such a body, which could be used for their aid. Two or more weak parishes could be consolidated. And if in a given district, through change of population a church was no longer needed, it could be removed, not as would be the case now to a wealthier neighborhood where it could be better supported, but to one more spiritually destitute. We might be sure that in all cases the good of the diocese as a whole, would be considered, and sound business management obtained. The shame and disgrace and misfortune of having church property encumbered beyond possibility of redemption, seized for debt and disposed of for any alien or secular purpose, or saved only by the most piteous and abject appeals to the generosity of Churchmen, would be no longer seen. The Church would gain the power belonging to all strong moneyed corporations. And such a body once constituted, would be capable of holding property for any church purpose. If there is an Episcopal fund, or if in any Diocese, a general sustentation fund, or a retiring fund for aged or feeble clergymen, or a general Church Building Fund were accumulated, they could be held and administered by such a body, instead of necessitating the creation of separate societies and incurring the risk and the weakness inherent in small, separate corporations.

But it is asked, how could such a body be constituted? Are there no objections to it? And would it be possible now to effect such a change of system? In reference to the first question, it is certainly within the canonical, legal

and moral right of any diocese to make any regulation it sees best as to the investment of the church property within it. We regard the diocese as the unit in this matter; evidently, for the very reasons we have mentioned, the parish should not be. Provinces, we have none, and to constitute one body of trustees for the whole property of the church at large, would be altogether too gigantic and unwieldy an operation to undertake. It would be perfectly competent for any Diocesan Convention to create by canon, a body of Trustees to hold any or all the church property that might belong to it. For purposes of unification, and to obviate the necessity of electing so many different bodies, the standing committees of our dioceses, together with the Bishop of course *ex-officio*, and the Treasurer and Chancellor, might well constitute the board required. Excepting in one or two dioceses, the standing committees consist of an equal number of clergymen and laymen, and the treasurer and chancellor being lay, there would, therefore, be an actual lay majority, which in some states is required by law, in any body holding ecclesiastical property, and which, whether legally required or not, is expedient, as the lay mind is certainly better fitted for the administration of financial and business matters, than that of the average clergyman. The standing committees, too, are already intrusted with many diocesan interests, and are the Bishops' councils of advice, so it would certainly be but natural and tend to unity and efficiency of action, to give to them the control also of the Church Property. Only in that case the committees instead of being elected as now, the whole committee annually, should be elected in sections, say one-third each year, in order to prevent surprises and danger of radical alteration of its membership, to which no body having charge of such important interests should be subject.

Perhaps it might be better to have a larger, more representative body than the one suggested, such as is "The church body," in Ireland, which performs for the church of

that land very much the office of the body we are advocating. But then there is but one such body for the whole church of Ireland, and therefore in order to embrace representatives of each diocese in the three orders, it is necessarily much larger than one for a single diocese need be. And, in a body so constituted, we have all the elements needed; the Bishop, the head of the diocese, who has all its interests at heart, and should have the oversight and a voice in the administration of all its affairs; five prominent intelligent clergymen and as many laymen, the best the diocese contains, who are already entrusted with a large share of its government, being constitutionally associated with the Bishop in it; the treasurer, who, perhaps, might be made a permanent officer on good behavior; and the chancellor, the legal adviser of the Bishop and of the diocese. Every one of these officers, except the Bishop, being elected, and capable of being displaced by, and responsible to, the diocesan convention, which is the representative of the diocese. Such a body would contain the best talent and intelligence the diocese could command, would have the interests of the whole diocese at heart, and be able to administer all the affairs of the diocese in concert and harmony, and yet be truly representative and capable of speedy and entire alteration of its membership, but free from the danger of surprisal and sudden change.

But are there not objections, to the constitution of a body of this kind and the investing in it all the property of a diocese? Would it not be a dangerous centralization of power? We cannot see that it would. Are not all our great financial concerns managed entirely by a comparatively small body of trustees? And would not the body we have suggested, be far more truly representative, far more freely elected, far less liable to contain dishonest, selfish, unscrupulous, or inefficient members, its whole policy and proceedings be more capable of being scrutinized and understood than, say that of the board of

directors of one of our great railroads? Besides, the powers of this board could be limited as much as was deemed best. For instance, no property could be alienated or church torn down or removed, without a special vote of the Diocesan Convention, if it was so prescribed by canon. It is admitted on all sides that the Roman Catholic Church possesses an enormous power, which we do not have, from the fact of all its property being concentrated in the hands of its Bishops, and being freed thereby from the scandals, mismanagement and losses, with which we are afflicted. Would not the plan proposed give us that power, without the accompanying disadvantages of the clergy being, as they are in the Roman Church, entirely dependent upon, and subject to the will of the Bishop? But, it is asked, might it not interfere with the liberty and independence of both the clergy and vestries? Not in the least. On the contrary, as regards the clergy, it would have the effect of making them freer; for the general tendency of the system unquestionably would be to the accumulation of endowments, which would make the clergy less dependent upon fluctuations and caprice of pew-rents and offerings. As for vestries, their position would be simply altered from having a *freehold* to having a *leasehold* of their property. Instead of absolutely owning their churches, they would have an indefinite lease of them. They could still be chosen as before, be as ecclesiastically free as they were before; elect their own Rector and manage their own domestic affairs; they would still be responsible for the current expenses of the parish, for the maintenance and even repairs of the fabric, unless special arrangements were made in individual cases or a fund provided for the purpose. They would have the right to do every thing that one renting or leasing a house would have the right to do, and they would be just as independent. My house is my castle just as much if I rent it as if I own it. In this case there would be no payment of rent, but the vestry or its predecessors being the original donors of the property, would have absolute

right to its use, as long as there was any one to represent them. All of which could be prescribed in the deed of donation. The only difference, but the great difference, would be that they could not touch the principal, they could not encumber or alienate the church property itself. The idea would be that the title deeds of all church property now owned within a diocese should be transferred to this body of diocesan trustees, and that the property of all churches hereafter formed should be vested in these trustees, but that in all other respects the individual congregations should be left as free as they are at present. In the case of enlarging or rebuilding or making alterations in a church, the vestry would have to apply for permission to the trustees, just as in England the rector and church-wardens have to apply to the Bishop for a faculty. But there would be no hardship in that, as, if it were really an improvement and needed, and funds were in hand for the purpose, there could be no question such permission would be granted. In cases where a parish was run down, or in a district where there was no material for the formation of a vestry, or where it was thought best to dispense with the vestry system, canonical provision could be made for the administration of the internal affairs of the parish, say as it is in England, by the rector and church wardens. But no where, where vestries now exist, or it is desired to have a vestry, need their liberty be in any way interfered with, except in this most needed matter, of the disposal of the property itself. If vestries were still extravagant, or mismanaged things, only the money at their disposal, arising from pew rents, offerings or subscriptions would be liable. The title deeds to the property or the endowment fund, if any, not being vested in the vestry, could not be held responsible for any debt contracted by it. And in cases where there was no vestry, and there are many who think that there should be such cases, this plan would afford a perfectly safe and easy way by which the property could be held. And it would be by no means an ecclesiastical

monopoly. It would not be, as might be supposed, the giving over of a diocese bound hand and foot into the hands of the dominant party whichever it might be. For the trusteeship would be simply a trusteeship of property. The liberty of action of individual rectors would be no more interfered with, than is the liberty of a bishop, because the endowment fund from which he derives his income is in the hands of trustees. The board holding the property would not have the appointment to the benefice, unless it were specially given to it, nor would it have any control whatever over the incumbent once appointed, or over the vestry, except as to alterations in, or the disposal of the property it holds. The body proposed would be similar to that of Ecclesiastical Commissioners in England, and we certainly do not find that the liberty of the individual parishes in England is in any way curtailed by the fact of their having no control over the principal of their church endowments.

But, it is asked, would it be possible to introduce such a system *now*? In new dioceses it could be readily done by prescribing by canon that no church should be consecrated or admitted into union with convention until the deeds to the property had been transferred to the diocese. In old dioceses the same thing could be done in reference to all new property and congregations. As to existing property, all the weaker churches would be glad enough to give up their deeds, especially if the diocesan trustees were strong enough to assume any of the obligations by which they are encumbered. For the stronger parishes, if their representatives in convention see the wisdom of, and vote for, such a measure, and if a request come to them, with all the force of diocesan authority, to comply with it, most of them, surely, would do so. Moreover, inducements might be held out. As the body of trustees became stronger, they might offer to keep in repair the fabric of any church transferred to them, or perhaps to appropriate to it a small endowment. It might take time to accom-

plish, but, if in practice, it was found that this system was a safe and wise way of investing and managing church property, there does not seem to be any reason why it should not in time be generally accepted. In this way we might at length have what there does not seem to be any possibility of ever having under our present plan, a real parochial system ; churches designated and made responsible for certain districts, according to their spiritual wants, not as they are now, built and maintained only according to the financial ability they can command. Of course there would be nothing to prevent individuals or a company of persons erecting and retaining for their own use proprietary chapels, as in England. But such chapels would form no part of the parochial system of the church, would have no rights in the diocesan convention, and the church would in no way be responsible for any disgrace or disaster which might attend them. If the trusteeship advocated were established in every diocese, we should at least have a working system at hand, which could receive at once any property given to it, which would gradually become stronger and more efficient as opportunities offered, and which eventually might entirely supersede the present system which is attended with all the evils that have been depicted.

Of course the scheme here presented is only in its merest outline. All its details would have to be thought over, and provision made against all possible abuses. But it is submitted that it is perfectly feasible, that it would have manifold and obvious advantages, and that if wisely considered and efficiently advocated, it is likely to meet with general acceptance. Let each diocesan convention appoint a committee of its wisest members to thoroughly consider the whole subject, and, if they see best, report a scheme for the establishment of a diocesan trusteeship, carefully prescribing its purposes and powers, together with forms for the transfer or donation of property, containing the terms of the trust by which it is to be held, and it

will simply require the enacting of a canon, to put it into operation. Then let all the force and authority of the diocese be brought to bear in favor of it. Let the advantages to arise from it be widely made known. Let it be everywhere understood that there is a body in existence capable of holding any and every kind of church property. A body which can be trusted to hold and administer property strictly and solely for the purposes for which it is deeded. And, if it is once thoroughly known that there is such a body and what its purposes are, and that it can be trusted, it will not be long before most of the property now belonging to the parishes would be transferred to it, and if it once gains the confidence of churchmen, it will soon accumulate funds in addition, which would never be given to the representatives of individual congregations.

Thus should we have a system in thorough accord with our theory of church government, and which would add immensely to its efficiency. We should have a security from loss and misappropriation we have not now; be delivered from many of the evils of congregationalism from which we suffer; have the prospect of establishing eventually a thorough parochial system, which might become a blessing to the nation; and gradually accumulate wealth, which would add enormously to the power and influence of the church. The mind of the church is now thoroughly aroused to a consideration of the importance of this subject. Let it be carefully deliberated and let us see if we cannot adopt a system by which we may in some measure retrieve the errors of the past; lay our foundations strong and deep for the future, and no longer trust to the workings of that system upon which we have fallen by chance, for there is no principle involved in it, and which on almost all sides is acknowledged to be most faulty.

GEORGE WOOLSEY HODGE.

EQUATORIAL AFRICA.

From the earliest times the land of Egypt has been prominent in history. Egypt is the product of the Nile. Its very existence depends upon the periodical overflow of that river. This has been for many years carefully studied records have been kept of its variations, accurate estimates made of the height the waters should attain to ensure a fruitful year. Because of its influence on the prosperity of the country the Nile was even worshipped as a god. Yet the Egyptians were ignorant of the causes of its overflow or of its sources.

The northern coast of Africa bordering on the Mediterranean Sea was also well-known to the ancients under the name of Lybia. Carthage for a long time disputed the empire with Rome. Flourishing colonies were settled along the shores even to the straits of Heracles. But of all the vast continent, lying south of these strips of civilization, we were, down to a very recent period, profoundly ignorant. A Phœnician expedition is said to have circumnavigated Africa about 600 B. C., and others of a later period, Egyptian and Roman, partially explored the coasts, one having penetrated even beyond the great desert. But they brought back little knowledge of the interior of the country.

The difficulty of crossing the vast desert, bounding the maritime provinces on the south, accounts for ignorance of what lay beyond this. But for Egyptians the Nile offered it might seem an accessible highway into the remote regions of the south; and curiosity as to the causes of its wonderful periodic overflows, on which the fertility of the country depends, would furnish an incentive to exploration. Yet

beyond the junction of the two great branches known to us as the Blue and White Niles, where was situated the ancient colony of Meroe, near Khartoum, literally nothing has been known with certainty, until quite recently, of the course of this river, or of the country and people among whom it takes its rise. Herodotus evidently could find out nothing about it. Ptolemy had heard vaguely of a Lake Nilus, situated somewhere near the Equator. Nero sent an expedition which penetrated into the swamps of the White Nile beyond Meroe, but was unable to force a passage; and at a later time rumors were brought by Arab traders of vast lakes in the interior, which, however, obtained little credit from our modern geographers.

After the ardor for discovery which sprang up in the fifteenth century, the coasts of Africa were more accurately explored, and its true size and shape became gradually known. In 1497 Vasco da Gama reached its southern extremity, and entered the Indian Ocean; and settlements were soon made at different points on the coasts.

Still the interior of this vast continent, extending from $37^{\circ} 20' N.$, to $34^{\circ} 50' S.$ latitude, and $17^{\circ} 30' W.$, to $51^{\circ} 30' E.$ longitude, remained almost entirely a *terra incognita* up to the present century.

The chief obstacles in the way of exploring Central Africa are the innumerable divisions of the people into tribes always at war with each other, the universal spread of slavery, the deathly nature of the climate to Europeans, and the small number of great rivers to furnish highways of communication.

Three chief rivers penetrate the interior. The Nile, running towards the north into the Mediterranean; the Niger, emptying into the Gulf of Guinea; and the Congo, discharging a vast volume of water into the Atlantic in $6^{\circ} S.$ latitude. On the whole eastern coast the Zambeze, explored by Livingstone, is the only river of any size.

The Nile is navigable nearly all the way to the junction of its two great branches, the Blue and the White Niles, at

Khartoum, latitude $15^{\circ} 29' N$, and so far as this, has been well-known to geographers. But beyond, to the south, the great marshes called *el sett*, through which it spreads, overgrown with rank vegetation of a most peculiar kind,¹ and the deadly malaria engendered thereby, impede modern explorers, as they did those sent by the Roman Emperor Nero. To show the difficulties of the navigation we may mention that Sir Samuel Baker, in command of a well equipped expedition, sent by the Khedive of Egypt in 1871, with steam vessels to aid him, was over sixty days in forcing a way through these obstacles.

The Niger for a long time baffled the researches of modern explorers. It was thought that its waters might furnish a way of access into the centre of the continent; that its sources must lie far to the east. But the well-known travels of Mungo Park, of the Landers and others have shown that its sources are in the mountains near the western coast. Later explorations, however, have discovered that its principal tributary, the Tehadda, coming in from the east, is navigable for four hundred miles, but has no connection with the lakes of Central Africa.

The Congo was unknown to the ancients; it was discovered by Diogo Cam in 1485. From its vast size and volume of water it was thought that it might afford a grand highway into Central Africa, but a long series of cataracts and rapids, extending over 150 miles, at a distance of less than 100 miles from its mouth, effectually precluded all hope of navigation.

In 1823, Denham and Clapperton discovered Lake Tchad, a large sheet of shallow water 150 miles by 120—averaging 8 to 15 feet in depth, and later, Barth more fully explored its waters and its tributary the Shary, ascertaining that it has no connection with the Nile, nor the Niger, nor indeed has any outlet.

¹See Baker's Ismalia, for an account of the difficulties of the Nile in this portion of its course.

Dr. Livingstone has done more than any other man to unveil to us the mysteries of the southern parts of this continent. But it does not come within the purpose of this article to dwell upon these, his earlier discoveries. We must confine ourselves to equatorial Africa, and will now briefly give a sketch of discoveries here, before attempting to describe its lake and river system, so far as it is known.

The rumors of large lakes in this region, obtained from the Arab slave traders, induced the expedition under Burton and Speke, who, starting from the eastern coast at Zanzibar, discovered, February 13, 1858, Lake Tanganika. In July, 1858, Speke, leaving his companion, arrived first of Europeans on the southern shore of Lake Victoria, in latitude $2^{\circ} 15' S.$, which he at once conjectured must be a chief source of the river Nile. To settle the point accompanied by Mr. Grant, he formed another expedition to the same lake, in 1862, skirted its western shores to Uganda on the north, and found its outlet at Ripon Falls, latitude $5' N.$ and traced its course sufficiently to be certain that it could be nothing else than the Nile. On the 15th of February, 1863, at Gondokoro, Speke and Grant found Sir Samuel W. Baker, who was traveling from Egypt to meet them. Acting upon information, given to them by the natives, Baker discovered the Lake called by him the Albert Nyanza, into the north-eastern portion of which the Victoria Nyanza empties, flowing forth again in its northern course a short distance from its entrance. Baker was able to explore but a small part of the Eastern shore of this lake, and its connections at the south are still unknown. We believe, however, it has been more fully examined by Mr. Mason, an officer of the Khedive of Egypt.

In 1876, Livingstone visited a great portion of Lake Tanganika; it was at Ujiji, on this lake that he was found by Stanley, October 28, 1871. Together they explored its northern portion and found that the river Rusizé, at the extreme north flowed into it, showing that there could be no connection between it and the Nile basin. After Stanley

left him, Livingstone reached the sources of the streams west of this lake, flowing from the south into the Chambezi, followed this river westerly into Lake Bemba, thence northerly to Lake Mwero or Moero, whence it issues towards the north, as the Lualaba, now to be known as the Livingstone river. He followed the course of this river as far as Nyangwé, an Arab trading post (Lat. 4° S., Long. 26° E). Thence returning to Ujiji, where he died in May, 1873. Lieutenant Cameron, followed Livingstone's footsteps to Nyangwé, and being unable to descend the river, struck directly across the continent, reaching the Atlantic at Loanda, south of the Congo, having thus the honor of being the first to cross Africa in this latitude, but adding little to our knowledge of its geography, except the fact that he saw nothing of the Congo or of the Lualaba.

Our readers who will look on the map, will see that a vast region around the Lakes Tanganika and Albert Nyanza, and the latter lake itself, remained unexplored west to the Atlantic; also that the course of the river Lualaba, a large stream running north where left by Livingstone, was to be determined. Was it a source of the Nile? Did it empty into Lake Tschad, or continue to the west and unite with the Congo? These were important geographical questions. It was the good fortune of Stanley to settle these, together with the as yet unknown dimensions of the Victoria Lake. His book, "Across the Dark Continent," interests like a tale of romance. As we are not writing a review of the book we can only glance at what he performed. In a sectional boat brought from England, he circumnavigated Lake Victoria, proving the correctness of Speke's observations. Thence travelling due west, he reached the eastern shore of the Lake Muta Nzige, south of the Albert of Baker, but supposed to have communication with it. To his great disappointment, the hostility of the natives prevented any exploration of this lake, which therefore remains as the prize of some future explorer. Baffled here, he made his way south and thence west to Ujiji,

launched his boat on Lake Tanganika and circumnavigated that also. He does not seem certain whether at the south this lake may not overflow into the streams which form the Lualaba. Returning to Ujiji, he re-organized his party and once more turning his face westward, arrived at Nyangwé on the Lualaba, Livingstone's extreme point. Once on this river, against difficulties through which nothing but despair of returning could have carried him, he followed its course, fighting his way through hostile tribes, down dreadful rapids and around cataracts, in one place finding a succession of falls for one hundred and fifty five miles, uncertain where he was to come out, until the "terrible river," after bearing him nearly to 2° north latitude, turning first to the west and thence to the south-west, at last, as the Congo, landed him with his retinue, diminished by sickness, violence and drowning, at Boma, a trading post sixty-five miles from the Atlantic Ocean.

Having thus given a necessarily imperfect history of the discoveries in Central Africa, we will endeavor to place before our readers, as clear an account as our limits will allow, of what is known of its lake and river system.

In 1852, when the maps presented to the eye a white space, dotted here and there with imaginary streams and lofty mountain ranges, the great geographer, Sir Roderick Murchison, conjectured, for geological reasons, that "Central Africa was a vast watery plateau of some elevation, subtended on the east and west by much higher grounds." If he had visited the country he could not have described it more accurately. Livingstone found the district west of Lake Tanganika almost impassable from its flooded condition, though at an elevation of more than two thousand feet above the sea. East of this are mountain ranges which separate the Nile system from that of the Lualaba or Congo and west another range which forces this river to take its great northern bend, before turning towards the Atlantic. Under the equator near the eastern coast, surrounded by high mountains, is found the great Victoria Lake at an

elevation of not less than four thousand seven hundred feet.¹ The Albert Nyanza into which the Victoria Lake empties, is two thousand seven hundred feet above the ocean. Lake Tanganika, south of this, which there is some reason to believe to be a feeder of the Congo, is about the same elevation. Nyangwé, on the latter river, where Stanley launched his boat, is about two thousand feet above the sea. In this "vast watery plateau," the two chief rivers of Africa have their sources, issuing from the great lakes of that elevated region.

The Nile sources are collected by the two lakes already mentioned, the Victoria and Albert. The Victoria lies directly south of the equator, which crosses its northern shores, and it reaches nearly to $2^{\circ} 30'$ of south latitude. The 33° of east longitude passes about through its centre. Its shape is an irregular oval, its length and breadth being nearly equal, about one hundred and seventy five miles each; its estimated area is twenty-one thousand five hundred square miles, almost the same as that of Lake Michigan. It is four thousand seven hundred feet above the sea, or more than four thousand feet higher than the latter. Stanley describes its shores as high, and the region around, which he explored to the north and west, as mountainous, very beautiful, fertile and comparatively healthy. On the north is the kingdom of Uganda, whose chief *Mtesse* appears to have been a superior man, and fully alive to the advantages of opening an intercourse with the whites. No large streams empty into this lake, except one at the south-west, the Alexandria Nile, which appears to take its rise in a swampy table-land, forming the water-shed between the Victoria and Tanganika lakes. Further exploration is needed to clear up the course of this stream. So far as known, these swamps around the small lake Kivu, may be considered the extreme southern sources of the Nile. From

¹ It may interest our readers to know that Lake Superior is only 630 feet above the Ocean.

the north of Victoria the Nile flows in a north-westerly direction, first over the Ripon and then several miles lower down over the Karuma and the Murchison falls; here turning due west, it empties into the Albert Nyanza, having fallen about two thousand feet in this part of its course.

The Albert Nyanza, discovered by Baker, was visited again by Col. Mason, in 1877. Baker seems to have been mistaken as to its size. According to Stanley's map, it is very narrow and about one hundred and twenty miles long; its height above the sea being two thousand seven hundred and twenty feet. South of this lies the lake Muta Nzige, which Stanley saw, but could not explore. Nothing more is known of it, but the probability is that these two are connected and form a portion of the Nile basin. When these are examined, we shall thoroughly understand the Nile system. As it is, we find its waters arising in the highest grounds between the 2° and 3° south latitude, collected in the lakes mentioned, and issuing forth from the north of the Albert as the White Nile.

The *Congo system* lies south and west of that of the Nile. It seems to be now ascertained that this river takes its rise in the high table-land between lakes Nyassa and Tanganika, far south of the Victoria Lake. The Chambezi, being formed by numerous streams, in long. 32° E., lat. $11^{\circ} 12'$ S., flows west into Lake Bemba, which collects other waters from the south. This lake is about three thousand seven hundred feet above the level of the sea, and has been but partially explored by Livingstone. Thence the river known as Webbe's Lualaba, flows north into Lake Mweru. The whole country between this and Lake Tanganika to the north-west is a vast swamp in the rainy season. The latter lake is very long and narrow, according to Stanley's map about four hundred miles long, and fifty at its greatest width near Ujiji, which is on its eastern shore near the northern end. It extends from 3° S. to nearly 9° S. Lat., and 30° E. Long. passes through its centre; the lay of the lake being from south-east to north-west. The river Rusizé,

flows into it at the north. At the south-west is another river, which Stanley thinks at times flows out of it, and may connect it with Lake Mweru on its west, and thus with the Congo. He thinks there is no connection between Tanganika and the Nile basin further north. This point, however, needs more careful examination before we can be certain about it. Returning to Lake Mweru, we find that the Lualaba, now known to be the Congo, or as it ought henceforth to be called the Livingstone, flows north-west to nearly 2° N. Lat., in Long. $21^{\circ} 30'$ E. It is supposed to be navigable for small vessels nearly all this way, with the exception of the "Stanley Falls" for about sixty miles just under the equator. Below this it is again navigable to the great Livingstone Falls, which are one hundred and fifty miles above Boma, near the mouth, and with the intervening rapids effectually preclude navigation for that distance, the river falling in this space, one thousand one hundred feet. From Nyangwé, where Stanley first met the river, to Boma, the distance is about one thousand five hundred miles; the total length of this river cannot be much short of two thousand five hundred miles. Various large streams empty into it from the south-west and north-east. One especially of great size comes in at about 1° north of the equator, in Long. $23^{\circ} 30'$ east, which Stanley conjectures must be the *Welle* of Schweinfurth.

The banks of the Livingstone after it emerges from the lake region are fertile and very thickly settled. Stanley found the inhabitants ignorant of the whites, very savage, and cannibals, consequently he was unable to hold intercourse with them or obtain much information. Physically they seem to be superior to the tribes near the ocean.

It will be seen then that the head waters of these two great rivers of equatorial Africa, like those of our own land, the St. Lawrence and the Mississippi, almost intermingle in their sources; but that, in this differing from our own, the great altitude at which they arise, above the ocean, causes serious interruptions to their navigation, by reason

of the cataracts and rapids which in so many places impeded their course. Still these might by modern science be overcome. Canals or railways might be built around them. The principal obstacles to commerce are the character of the natives and the unhealthiness of the climate. These are harder to overcome. Still they are not insurmountable. Stations on the high table lands around the great lakes might prove, with proper precautions, to be healthy; and as regards the natives, civilization and Christianity, must eventually modify their natures. This brings us to the last division of our subject; Missions in Africa. But we have not space here to give this important topic the consideration it deserves: and must close, for the present, with this suggestive quotation from Mr. Stanley:

If the Missionary can show the poor materialist (the native) that religion is allied with substantial benefits and improvement of his degraded condition, the task to which he is about to devote himself will be rendered comparatively easy.

E. B. B.

Editorial Department.

WE think it will be pleasant from time to time to have a few words with our friends. There are many things we have in our minds to say which we do not desire to lengthen into regular review articles. Also following, as we do, the plan of admitting papers on different sides of questions of the day, we have felt the need of some way in which we might make known our own opinions, so that the position of the CHURCH REVIEW might not be misunderstood, as we know has sometimes been the case. In the EDITORIAL DEPARTMENT we propose to do this; to give shorter *Book Notices*; and to mention facts of *Home and Foreign Church Intelligence*.

With this January number, the CHURCH REVIEW begins its *thirty-first year*. We make certain changes which it is hoped may add to its usefulness and popularity. In future, we shall publish every *two months* instead of quarterly, thus having more frequent

opportunities of meeting our readers; and we reduce the price from three dollars to *two dollars for all subscribers*; single numbers will be sold for *forty cents*. As this will be a risk for us and altogether in favor of our subscribers, we ask them, in return, to *pay in advance*—if they wish a receipt to enclose a *postal stamp*; also to endeavor to promote the circulation of the REVIEW among their friends. This is the only Church periodical in which all sides are admitted to speak for themselves. We propose to make this feature even more prominent than heretofore; and hope in our next number to invite our readers to a conference about one of the most important practical questions the Church has to meet.

We call attention to the article on "The Custody of Church Property." The subject is one of great importance; and the longer the evil complained of is suffered to remain, the more difficult it will be to find a remedy. We should like to have the views of some laymen on this matter.

AMONG THE BOOKS.

"What shall our children read?" This question, placed by MESSRS. POTT, YOUNG & Co. at the head of their circular, is one that deserves the attention of parents, uncles and aunts, pastors and of all who select books for the young, whether for gifts or for Sunday School Libraries. The difficulty of choosing safe yet interesting reading for children is no slight one. A great many books for the young are constantly issuing from the press. Too many of them are such as careful parents would not desire to place in the hands of their children. Some are so sensational that they are dangerous, or they are untrue and give false impressions of history and life. We hear constantly of the evil resulting from the trashy literature so widely diffused among the young. Other writers for children have been so anxious to make their books useful, that they have failed in making them sufficiently lively to please those for whom they are intended. We, several years ago, purchased some such volumes for a Sunday School Library, and they remained the best preserved books in the whole collection, yet they were very excellent, instructive works; only they were, we found them so ourselves, hard to read. Then again, of books intended to inculcate good morals and religion; too many are sentimental and namby-pamby in style, or set up young people as teachers and examples for their parents, or as impossibly good, or they make goodness so very stupid as to disgust children with it. We candidly confess

that we much prefer giving to our children standard novels of Scott, or Dickens, or the later works of Bulwer, rather than many of those written expressly for Sunday Schools. It is a comfort and aid to persons selecting books, and not having time to read them first, to know that they may depend upon those issued by certain publishers, as not only harmless, but instructive and interesting to children. We especially call attention to the attractive lists offered by the three great Church-publishers of New York. No doubt there are others besides those we mention, but not having examined their books, we cannot speak of them so positively.

Messrs. POTT, YOUNG & Co., COOPER UNION, N. Y., have a full assortment of the publications of the London *Society for Promoting Christian Knowledge*. The greatest care is taken by this Society in selecting books for the young, and entire confidence may be placed in them. There is sufficient variety to suit all tastes. For those who love adventures, there are travels and tales by Kingston, Ballantyne and others, such as *NED GARTH, or Made Prisoner in Africa*; *DRIFTED AWAY*; *HEROES OF THE ARCTIC*; *THE SETTLERS, a Tale of Virginia*, etc. For younger children, *KITTY BLIGH'S BIRTHDAY*; *HISTORY OF JACK-A-NORY*; *LITTLE HELPERS*, etc.; and for all, *THE SNOWBALL SOCIETY*; *THE ROYAL BANNER*, etc. This last is a beautiful story, of some fisherboys in the north of England, Church teaching, strong but not extreme, is naturally woven into the narrative, and a very striking application to the Church is made of the close of Longfellow's well known poem, "The Building of the ship." Older people may read it with profit.

Messrs. POTT, YOUNG & Co. have also on hand the historical publications, of the same Society, for older persons. We have received in four small volumes with maps, the history of "The Conversion of the West," one on "The Continental Teutons," by *Charles Merivale*, Dean of Ely; the others on The Celts, North men and English, by the *Rev. Dr. Maclear*, of Kings College, London. We have here only space to call attention to them, intending in our next number to give the more extended notice they deserve. The same firm have issued a new edition of *THE CATACOMBS OF ROME*. It is unnecessary to say anything in praise of this well-known work by Bishop Kip. It contains information of great interest to Churchmen, not otherwise easily to be obtained.

MR. T. WHITTAKER, BIBLE HOUSE, N. Y., has also a choice selection to please the young. Among these we mention a few. *A SATURDAY'S BAIRN*, a touching story; *TEN OF THEM*, good for little ones; *"AFLOAT AND ASHORE WITH SIR WALTER RALEIGH"*; *"HEROES OF ANCIENT GREECE"*; and *THE HOME OF*

FIESOLE," for older children. These are but a few among many, all we doubt not equally good, for these have been taken at random, as specimens, and having, ourselves, read them all, we can honestly speak well of all, and have no hesitation in recommending his whole list. It is too long for us to introduce here, but catalogues will be sent on application, or Mr. Whittaker may be trusted to select, as he knows what children need and like. We may mention here, that the same publisher has also issued a new edition of Dr. Washburn's, *SERMONS ON THE TEN COMMANDMENTS*; a work so well-known to the religious public, that it is only necessary to mention the fact. It is a good sign, when there is a call for a third edition of such a book.

We call attention to the Illustrated Catalogue of E. P. DUTTON & Co., 713 BROADWAY, N. Y. Persons can scarcely go amiss in choosing from this. We recommend all the books of *Mrs. D. P. Sanford*; the excellent series, *SUNDAY ECHOES IN WEEK-DAY HOURS*, by *Mrs. Carey Brock*; *CARL'S FIRST DAYS*; *EASY READING FOR THE LITTLE ONES*; and especially *PRAIRIE DAYS*, a charming, natural story of Western life, truthful and with plenty of fun, yet with sufficient, unforced religious teaching. And then, if Church story books are wanted, there is the excellent series they publish for the *Church Book Society*. We wish every Parish had such a set of boys as those described in *THE YOUNG LAYMEN*. They do nothing but what boys might easily do, they are no better than boys ought to be. We hope some boys, and girls too, on reading this book, may be induced to think what good thing they can undertake in their own Parish, and will then set to work, with God's help, to do it. We have read nearly all the above named books, and taking them as we did, just as they came to hand, we have a right to consider them fair specimens of the rest. So that we feel warranted in saying that those selecting from any of the above-named Catalogues may be sure of giving their children instructive, healthy and interesting books.

THE HOLY BIBLE. With an Explanatory and Critical Commentary. New Testament. Vol. I., St. Matthew, St. Mark, St. Luke. NEW YORK: CHARLES SCRIBNER'S SONS. 1878. This is a continuation of what is known as the "Speaker's Commentary," so called because the idea of it was first suggested by the then "Speaker" of the House of Commons, the Rt. Hon. J. Evelyn Denison. The idea was to furnish, for the laity more especially, a commentary on the Bible "in which the latest information might be made accessible to men of ordinary culture." The Old Testament has been completed in six volumes, and here we have the first volume of the New, on the first three Gospels. A very valuable "General Introduction," with a "Table of the Harmony," is written by the Archbishop of York. The Commentary on St. Matthew is by the late Dean Mansel, except the last two chapters,

which, together with that on St. Mark, are by the editor, Canon Cook. The notes on St. Luke are by the Bishop of St. David's, completed and revised by Canon Cook, with additional notes. Among others is a very valuable one "on the authenticity of the last twelve verses of St. Mark's Gospel," giving a complete though condensed statement of the arguments on both sides. The author declares in favor of the authenticity of the text. We do not know of any Commentary better suited than this for the purpose for which it is intended. Every family ought to have a good Commentary, and we recommend this as being on the whole the best. One great advantage this English one has over those of the Germans, is, that you understand what the writer says. And if he do not himself comprehend the meaning of a passage he either says so or leaves it alone. He does not try to make you think he knows all about it by an elaborate argument which nobody can comprehend. Bible readers should be very grateful to this publishing house for bringing out this and other works on the Scriptures in such excellent type and paper.

SERMONS, DOCTRINAL AND PRACTICAL, *by Morgan Dix, S. T. D., Rector of Trinity Church, New York* E. P. DUTTON & CO., NEW YORK. SERMONS, *by the Rev. Phillips Brooks, Rector of Trinity Church, Boston.* E. P. DUTTON & CO., NEW YORK.—It is a cheering sign that there is a sufficient demand for books of this class to encourage the publishers to issue them. It is high time that our Church should be furnishing her quota to the theological literature of the day. These are sermons worth reading. They were preached in parish churches and intended for the edification of their regular congregations by the rectors. We are not, therefore, to expect to find in them such a display of learning or depth of thought as is contained in some of the sermons preached before the English Universities, or on their Lecture Foundations, as in those, for instance, of Mozley or Liddon, this would be here out of place. But, though differing essentially in many respects, these volumes both contain true and suggestive thoughts expressed in pure and forcible language. As we understand that the same publishers intend issuing other sermons by prominent clergymen of this Church, we shall wait for awhile before preparing a more critical notice of these and such like books. Indeed, we have not space in this number to do them justice.

THE FAMILY LIBRARY OF BRITISH POETRY, *from Chaucer to the Present Time—1350-1878.* Edited by James T. Fields and Edwin P. Whipple. BOSTON: HOUGHTON, OSGOOD & CO. 1878. pp. 998.—Everybody cannot afford to purchase an edition of the British Poets, yet everyone of liberal education wants to have some general knowledge of them and of their writings; this book is intended to supply this want. Of course it is impossible in one

volume to give more than a specimen of the writings of each poet, the intention being not to select only from the best, but to give something from all. When it is known that in this book are extracts from five hundred poets the necessity and difficulty of judicious selection will be appreciated. The object is to whet the appetite, and make the reader, like *Oliver Twist*, ask for more. Some poems, however, are given in full, such as the "Rape of the Lock," Thompson's "Castle of Indolence," Goldsmith's "Traveller," and "Deserted Village," and "The Eve of St. Agnes" by Keats, one of the most beautiful poems in the language. When we notice the excellent size of the type, we wonder that one book can contain so much. We must add that great care has been taken in using the best editions, and in admitting nothing that is unfit for the "family" reading. This is an admirable present for the holidays.

THE VISION OF ECHARD, and other Poems. By John Greenleaf Whittier. BOSTON: HOUGHTON, OSGOOD & Co. 1878. pp. 131. These are all short pieces, the subjects entirely disconnected. They are characteristic of the spirit of the Quaker Poet. They tell truths which every soul ought to know and practise; they show an intense and delicate love for nature; some of the descriptions are very beautiful. We are especially pleased with "Sunset on the Bearcamp," and "The Seeking of the Waterfall." We wonder how one who reads so truly the sacramental teachings of God's works can slight those of His Word.

LIFE OF MME. DE LA ROCHEFOUCAULD. Translated from the French. BOSTON: HOUGHTON, OSGOOD & Co. 1878. pp. 336. An exceedingly interesting life of one born in high station, heiress of great wealth, who preserved her purity of soul and her religious principles untainted amid the temptations of the corrupt Court of France, the dangers of the Revolution, and the more prosperous days of the Empire and the Restoration. Her religion was that of Rome, and of course there are many views expressed that we cannot approve, as for instance, on page 49, where Alphonse de Liguori is extolled as the "zealous apostle of the religion of Mary and of the Blessed Sacrament." But nevertheless we may learn from this book many valuable lessons of devotion and goodness, and obtain from it a vivid idea of life in the memorable times in which she lived; born in 1764, she died in 1849.

PLAY DAYS. A Book of Stories for Children. By Sarah O. Jewett. BOSTON: HOUGHTON, OSGOOD & Co. 1878. pp. 213. Happy children to have a book written for you by the author of "Deephaven." These are just such stories as we should look for from this author, tender and loving, yet full of humor, with excellent but not obtrusive moral. They are intended especially for girls,

such appreciation of dolls in them. If you want a holiday gift for your little daughter give her "Play Days." You will enjoy reading it to her aloud as much as she will the listening to it.

THE THEORY OF DEVELOPMENT. *By J. B. Mozley, D. D.* NEW YORK: E. P. DUTTON & Co. pp. 226. This is not one of Dr. Mozley's later writings; it is a reprint from "The Christian Remembrancer" of January, 1847. Neither is it a treatise on Development, as the title seems to imply, but a criticism of Dr. Newman's Essay on "The Development of Christian Doctrine." It follows and refutes very clearly and ably the false teaching of that Essay, and in the end proves that Dr. Newman's views are not those of the Church of Rome, and that his hypothesis and his facts do not accord. A valuable part of this book is that in which the difference is shown between a natural and an exaggerative development. To those whose minds have been troubled by false teachings that the doctrines peculiar to Rome are the natural development of Christianity we commend this book as likely to be very useful.

FAMILIAR WORDS ON THE ENGLISH CHURCH. *By the Rev. R. W. Lowrie.* BEDELL & BROTHER, NEW YORK. We have received this little book too late to be able to say more than that it appears to be well suited for parish use. The aim of the History is to show that the Church of England is the same church she was when first founded. Reformed, but not re-founded.

THE ORIENTAL CHURCH MAGAZINE is a new Quarterly, edited by the Rev. N. Bjerring, pastor of the Russian Church in New York. It is intended to give information regarding the Greek Church, its forms and doctrines. It is published by THE AMERICAN NEWS COMPANY.

ENGLISH ECCLESIASTICAL COURTS AND THE MACKONOCHIE CASE.

We learn from the English journals that Lord Penzance has announced that an appeal will be made to "The Court of Intermediate Appeal," against the decision of the majority of the Court of Queen's Bench, which granted a writ of prohibition against his judgment in the Mackonochie case. It is also asserted as a fact, that Letters of Request have been presented to the Bishop of London, applying for Letters of Request against Mr. Mackonochie for new offences committed on the last Sunday of October, at St. Alban's. As this suit interests many in this country, and is little understood, we will give an account of the manner of proceeding

in Ecclesiastical cases in England, and a history of this particular case. We are indebted for our information to "The Book of Church Law," by the Rev. J. H. Blunt, revised by Walter G. F. Phillimore, D.C.L.; "The Principal Ecclesiastical Judgments, delivered in the Court of Arches, by Sir Robert Phillimore," and the opinion of Chief Justice Cockburn, as reported in "The Guardian."

The great principle of law is thus expressed :

Questions respecting the orthodoxy of the clergy, their conduct in their ministrations, and their morals, are subject to the jurisdiction of the Bishops, with the right of appeal from a lower to a higher court, and ultimately to the Sovereign in Council.

The tribunal of first instance is the *Consistory Court* of each diocese, the ancient "Court Christian." Of this the Bishop is *ex-officio* judge. He does not preside over this in person, but by his Chancellor. The Bishop's mode of proceeding, however, has been regulated by recent legislation, contained in the Act 3 and 4, Vict., ch. 86, A. D., 1840, entitled "An Act for Better Enforcing Church Discipline," and also by that passed in 1874, called "The Public Worship Regulation Act," 37 and 38 Vict., ch. 85. The former having cognizance of "any offence against the laws ecclesiastical," or cases of scandal or evil report of offence against the said laws; the latter being confined solely to "The administration of the laws relating to the performance of divine service, according to the use of the Church of England." The latter act, therefore, does not abrogate the former, it only applies to cases of alteration, by addition or omission [1] of the fabric, ornaments, or furniture of a church building or burial ground; [2] of the ornament or vesture of the minister; [3] of the directions of the Book of Common Prayer relating to the performance "of the services, rites, and ceremonies ordered by the said book."

Under "The Church Discipline Act," the proceedings are as follows: when a charge is made against "any clerk in Holy Orders." [1] For the Bishop of the Diocese to issue a commission to five persons, of whom his vicar-general, or an archdeacon or rural dean of the diocese shall be one, to inquire into the grounds of such charge, by taking evidence and listening to both sides; said commission to report "whether there be or be not sufficient *prima facie* ground for instituting further proceedings." If both parties consent, or the accused confess guilt, the Bishop may, without further proceedings, pronounce sentence. If not, the Bishop hears the cause with three assessors, nominated by himself, one of whom shall be an advocate or barrister of certain standing, and another the dean of his Cathedral, or one of his archdeacons, or his chancellor, and, after hearing, the Bishop shall determine the cause and pronounce sentence there-upon.

[2] From the decision of the bishop an appeal lies to the archbishop, and is heard before the judge of the Court of Appeal of the province [the Arches Court¹ of Canterbury, or the Chancery Court of York].

Instead of hearing the case himself, the bishop may at once send it to this Court of Appeal of the province, by what are called "Letters of Request;" and this, as saving time and expense, appears to be in doubtful cases the more usual course.

[3] From the Court of Arches, an appeal may be made to "the Queen in Council," to be heard before the Judicial Committee of the Privy Council. And no such appeal can be heard unless at least one archbishop or bishop belonging to the Privy Council be present.

This Act limits to two years the time for which proceedings against offences may be taken.

"The Public Worship Regulation Act," passed in 1874, is similar in character to the above, but was intended to shorten the proceedings in "Ritual" cases. Charges of excessive or defective ritual, under three heads, as specified above, may be made against the incumbent of a church, by his archdeacon, one of his Churchwardens, or any three of his parishioners, members of the Church of England and residents of the parish for the year precedent. The complaint is made to the bishop. He may here stop the whole proceedings if he think there is no cause, his reasons for refusing being filed in the Registry of the diocese. If the bishop think proper to proceed, and both the parties in the suit state in writing that they "are willing to submit to the directions of the bishop, without appeal," then the bishop shall hear the matter, and shall pronounce such judgment, and issue such monition as he may think proper, and there shall be no appeal from this. If they will not consent to this, then the case is sent to the archbishop, and he shall require the judge to hear it. From his judgment an appeal goes to the Privy Council.

The judge under this Act is appointed by the two Archbishops, subject to the approval of the Crown, and as vacancies occurred was to take the place of the Judges of the two Provincial Courts. The present judge, Lord Penzance, is, therefore, now, under this statute, Judge of the Arches Court of Canterbury and of the Chancery Court of York.

Obedience to an order or monition of this Court may be enforced "by inhibiting the incumbent from performing any service of the Church, or otherwise exercising the cure of souls," for a term not exceeding three months, and further until he promise obedience.

¹ This Court was so called, because held formerly as late as 1825, in the church named St. Mary the Bow, or *de arcubus*, of the Arches, from its peculiar construction on arches.

"If such inhibition remain in force for more than three years," or "if a second inhibition in regard to the same monition shall be issued within three years * * * the living is avoided."

The right assumed by the Court of Queen's Bench to receive and act upon an appeal from the monitions of this Court of Arches, by issuing a writ of prohibition, is by no means clear. Lord Chief Justice Cockburn, very high law authority, asserts it to be the province of the Queen's Bench "to restrain all tribunals, not forming part of the High Court of Justice, within the limits of their respective jurisdictions." But he acknowledges that "some difference of opinion has existed on this point." The case of Mr. Mackonochie has, as we shall presently see, brought about a contest as to the extent of this jurisdiction which will probably be settled eventually by the House of Lords, the highest and final Court of Appeal in all cases.

We will now give a brief, but, we believe, accurate history of this celebrated case. The case of *Martin v. Mackonochie* was first brought before Dr. Lushington, then Dean of the Arches Court, under the Church Discipline Act. Soon after this Sir Robert Phillimore was appointed Judge; and after various preliminary proceedings of no interest to us, regarding his right to appoint surrogates to act for him, which was prohibited, he heard the case himself and gave judgment, March 28, 1868. The charges were—[1] The undue elevation of the Cup and Paten during the Celebration of the Holy Communion. [2.] The use of incense during the celebration. [3.] The mixing of water with wine during the celebration. [4.] Excessive kneelings at times not prescribed by the Rubrics. [5.] The use of lighted candles upon the Holy Table. There was no dispute about the facts, the question was, were these acts illegal?

The judgment pronounced by Dr. Phillimore is very voluminous and learned, containing a thorough examination of the law of England and of the opinions of authorities both of the early Church and of that of England.¹ He found Mr. Mackonochie to have acted unlawfully in [1], [2] and [3]; but that [4] and [5] were legal acts. An appeal was taken by the promotor, on these two, and the Privy Council reversed the judgment, deciding that both these acts were also unlawful. In accordance with these judgments, Mr. Mackonochie was "admonished" to abstain in future from such practices. In 1874, a second suit was brought against the same party for continuing the same practices. The same judge again pronounced him guilty, sentenced him to suspension, *ab officio*, for six weeks, with costs, and admonished him to desist from these practices, warning him "that contumacious disobedience

¹ A full report of it will be found in "ECCLESIASTICAL JUDGMENTS," etc. RIVINGTONS, LONDON; POTT, YOUNG & CO., NEW YORK.

to this sentence may entail upon him one of far greater severity." In pronouncing sentence Sir Robert Phillimore observes :

The matter charged relate to no moral or doctrinal offence, but to an excess of ritual observance beyond that ritual observance which the Prayer-Book and Formularies of the Church prescribe.

Nevertheless, Mr. Mackonochie must obey the law. He must recognize some authority superior to his own. He cannot make the law for himself, nor out of the existing law select what portions he will obey and what disobey.

On the 26th of June, 1875, a monition under the foregoing decree was served on the defendant. On the 18th and 23d of March, 1878, application was made to Lord Penzance, successor to Sir R. Phillimore, alleging disobedience to the monition of the judge, on the part of Mr. Mackonochie, and praying that obedience might be enforced. Mr. Mackonochie did not appear. On the affidavits adduced in support of the application, Lord Penzance further, March 29th, 1878, admonished the defendant to abstain from the practices in question. April 20th, 1878, a similar application was made to the judge to enforce the monition with affidavits showing continued disobedience. Mr. Mackonochie failing to appear, on the 11th of May Lord Penzance decreed that the respondent had disobeyed the various monitions of the court and was therefore "guilty of contumacy;" and sentenced him to be suspended *ab officio et beneficio* for the space of three years, with costs. It was on this judgment that application was made to the Queen's Bench to prohibit the execution of the sentence.

This Court by a vote of two judges against one, gave judgment, August 8th, 1878, that these proceedings against Mr. Mackonochie were "invalid, as being beyond the jurisdiction of the Court of Arches," and issued a rule to prohibit the execution of the sentence of Lord Penzance. It is on the questions whether the Court of Queen's Bench has the right of jurisdiction it assumed, and if it has, whether its decision was correct, that appeal is to be made.

It must be noticed that the judgment of the Queen's Bench, is entirely on the point of jurisdiction. Lord Chief Justice Cockburn delivered an elaborate opinion on the jurisdiction of the Court of Arches, but he does not enter at all into the question whether the practices complained were legal or not. His opinion amounts to simply this, that Lord Penzance had no right to suspend for contempt, because there was really then no suit pending against Mr. Mackonochie, he having been already tried and punished for the offence. If he had again offended, a new suit must be brought; the monition could not keep alive the jurisdiction of the Court of Arches over the old offence.

It will be seen that this is merely a question of law, and has nothing to do with the merits of the case. It is a triumph for

Mr. Mackonochie personally, permitting him to continue his work, but we fail to see how it is in any way a triumph for what is called Ritualism. No judge has allowed as legal the practices complained of; the decree against them is still in force. On the contrary, one of the judges who voted for the prohibition, on a law point, expressly says :

That the conduct of Mr. Mackonochie is deserving of the highest censure for remaining in a church the law and discipline of which he habitually disregards, may be true, but that is not *ad rem*.

Such then is a fair history of this case up to the present time. We have only one or two remarks to make. It will have been noticed that these proceedings have been long pending, since 1868, and that during these ten years Mr. Mackonochie has quietly, but persistently, set the authority of the courts at defiance, paying no attention to them and refusing after that first judgment even to appear before them. The practices for which he is sentenced are in themselves of little moment. There are only two reasons which have been assigned for the obstinacy of the defendant. The first is, that by them doctrines are taught, symbolically, which he dare not openly preach; the second, that he refuses to acknowledge the jurisdiction over ecclesiastical affairs of what he considers a civil court. We prefer to believe the latter to be the correct reason: that Mr. Mackonochie thinks he is fighting the battle of the Church against the State. This is a matter which does not concern us in this country, except from sympathy. But we suggest: that these are not merely civil courts, for, [1], there is a provision in the law by which every case may be tried and decided by the Bishop of the Diocese. [2.] The judge of the Arches Court is appointed by the two Archbishops, and really represents them. [3.] The Judiciary Committee of the Privy Council to which appeal is made must have at least one bishop present at the trial of all ecclesiastical cases. Also the Church was united with the State, and the law processes were virtually the same when Mr. Mackonochie took orders, as they are now, there has been no new usurpation of the State over the Church.

The only part which practically concerns us in this Church is the fact that the practices enumerated above have been declared by learned men, after very full and careful investigation, forbidden by the law of the mother church of England. As the daughter church of America has nowhere commanded or allowed them, the inference is strong that they are unlawful also among us.

At Home.

The celebration of the Two Hundredth Anniversary of the establishment of the "Dutch Reformed Church" in New York, the oldest religious incorporation in that city, which was held in the Collegiate Church, on Fifth Avenue, Nov. 21, 1878, calls for some notice, not merely as being interesting in itself, but because it has brought up to special prominence the question of union among Christians. On that evening every religious society or denomination that is considered orthodox, was represented by an address from a prominent minister. Dr. Morgan Dix, as Rector of Trinity, the next oldest incorporation, was the first to speak. His address was admirably written and very interesting. As it has been printed in full, we need not attempt any synopsis of it; nor shall we give any account of the other addresses, which were all good of their kind. We refer to it as an interesting event in itself, as showing the growth of a kindly feeling among Christians who differ, but chiefly as furnishing a text to say a few words on the subject of Church Union. A great deal has been written and preached on this important topic, indeed, its importance cannot be over-estimated. But in spite of "Christian Alliances" and public gatherings together of various denominations to make friendly speeches one to another, little if any real progress towards union has been made. Each body holds as firmly as ever to its own ecclesiastical organization. There is more of pleasant sentimentalism than of reality in the movement. Sectarianism is a heavy burden on the community, to say nothing of its sin. In a little village for which one, or at most two churches and ministers might suffice, we find four or five to be supported, and all but one or two of these talking about fellowship, and saying that there is no fundamental difference between them, and abusing the "Episcopalians," who have some principle involved in their differences, because they will not unite with them. Why do they not first unite among themselves and consolidate their congregations into one? That would be a practical union.

But we noticed that some of the speakers at the meeting referred to, intimated that this division among Christians was a good thing, because of the spirit of emulation thereby excited; and we have elsewhere heard this more positively asserted. Was

then our Lord mistaken when He so earnestly prayed for union among His followers? Or was the inspired Apostle wrong when he exhorted the Corinthians: "that ye all speak the same thing, and that there be no divisions among you; but that ye be perfectly joined together in the same mind and in the same judgment," I. Cor., i: 10. There will be no real step taken towards Church union until Christian men believe that schism is contrary to the law of Christ. But such meetings as this do good because they cultivate a kindly feeling among those who hold the same creed and profess to love and serve the same Lord and Master. And wherever we who believe in the importance of Church union can meet thus with our brethren without giving up our principles, we ought to do it. No one can suppose that the Rector of Trinity Church did in any way compromise his churchmanship by his presence on this occasion, bearing kind greetings from the corporation he represented to the "Collegiate Church." This whole question of the attitude of members of this church towards other Christians, is one deserving of our earnest thought, and on which we hope for a future number to obtain the opinions of those wiser and more experienced than ourselves. We have only this to say. Pretty sentimentalism and talk about "the right hand of fellowship," amount to little. Union cannot be brought about by the merging of all sects into one, nor by a sacrifice of principles, but of prejudices. The first practical step is to ascertain in what all agree; the next, in what we differ, clearly defining terms, and so far without any controversy as to who is right. This settled, then let each Christian body decide how far, without giving up what it believes to be an essential principle, it can yield or modify its peculiarities so as to harmonize with others. The residuum of difference would by such process be greatly lessened, and thus a prospect of union, not necessarily uniformity, among Christians would become possible, with the blessing of Him, who prayed "That they all may be ONE."

THE CHURCH ALMANAC, *for the Year of our Lord 1879.* NEW YORK: POTT, YOUNG & CO., Cooper Union. THE PROTESTANT EPISCOPAL ALMANAC AND DIRECTORY, *for the Year of our Lord 1879.* T. WHITTAKER, Bible House, New York: have both reached us. There is sufficient difference between them to make both desirable. For instance, "The Church Almanac" gives separately a "List of Parishes" and of "Diocesan Institutions." "The Protestant Episcopal Almanac," combines the two under one head, only giving the names of the clergy in each Diocese first, instead of that of the parishes. Each has its advantage. We do not know how a clergyman can spare either.

THE RT. REV. JOSEPH PERE BELL WILMER, D.D., the second Bishop of Louisiana, died in New Orleans at 7 P. M., on Monday, December 2d, 1878, aged 66 years and nearly ten months.

He was born in Swedesboro', N. J., in 1812; was ordained Deacon in St. Paul's Church, Alexandria, Va., July 10, 1834, by Bishop Moore, and Priest, by the same in St. Paul's, Petersburg, Va., in May, 1838. He had charge of St. Ann's parish, Albermarle, Va., from 1834—1838, when he was appointed a chaplain in the U. S. A., which position he held until 1843, when he resumed parish work in Virginia. In 1848 he moved to Philadelphia as Rector of St. Mark's Church. In consequence of strong southern sympathies, he resigned and returned to Virginia, at the beginning of the war. Elected Bishop of Louisiana after the death of Bishop Polk, he was consecrated in Christ Church, New Orleans, November 7, 1866. He received the degree of Doctor of Divinity from Union College, Schenectady.

THE SPECIAL DIOCESAN SYNOD OF MONTREAL, convened at Lennoxville, Canada, Oct. 18, 1878, elected as successor to Bishop Oxenden, resigned, on the first ballot, by a decisive majority in both orders, the very Rev. Wm. Bennett Bond, Dean of Montreal.

Dean Bond was born at Truro, Cornwall, England, in 1815. He received a good plain education, including Latin, in London. While young, he went out to Newfoundland to engage in business. There he began to study for the ministry under Archdeacon Bridge; but removed to Montreal, and was ordained deacon in 1740, and priest in 1841, by Bishop Montain. He officiated for a time as missionary at Lachine and other points in the district of Montreal, until 1848, when he became assistant minister to St. George's Church, Montreal, and in 1862, succeeded Dr. Leach, to the rectorship, which he has retained ever since. In 1870 he was appointed archdeacon of Hochelaga, and in 1872, on the death of Dr. Bethune, dean of Montreal. These various positions have brought him into close connection with the clergy and laity of the Diocese, and his earnest zeal in Missionary work and success as a pastor, together with the respect felt for his piety and sincerity, doubtless caused his election by so strong a vote. We think our Canadian brethren have shown their wisdom in thus selecting a bishop from among themselves, who understands the work better than one from England, even of higher natural and educational advantages, can possibly do—who, moreover, will not be likely, as have so many English Colonial Bishops to their shame, to give up the work after a few years, and return to do comfortable parish work at home with the honor of a Bishop's name.

By this election the question of the primacy is brought up for settlement. The Diocese of Montreal claims that its bishop is *ex-officio* Metropolitan. The other dioceses deny this, and say he is to be elected by the general synod from among the bishops.

SUPPLEMENT.

ORDINATIONS FOR THE YEAR ENDING ADVENT, 1878.

The Editor desires to thank the Bishops who have kindly sent him their Ordination statistics. The list given below is authentic, being furnished by the Bishops themselves, or by Secretaries of Conventions. No ordinations are inserted unless thus obtained.

* Signifies Baptist. † Congregational. ‡ Methodist. § Adventist
|| Presbyterian.

ALABAMA. (R. H. Wilmer.)

Jan. 25, '78.	Frank B. Ticknor,	D.
May 12,	Charles Morris,	P.
July 11,	Asa J. Roberts,	D.

ALBANY. (Doane).

Dec. 21, '77,	Richard Clinton Searing,	P.
April 23, '78,	Bradford Randall Kirkbride,	D.
Nov. 9,	James Biggar Wasson,	P.

CENTRAL NEW YORK. (Huntington).

Jan. 3,	Charles A. Poole,	P.
"	Frank Benj. Adams Lewis, M.D.	P.
"	T. W. Barry,	P.
Jan. 29,	Charles G. Shrimpton,	D.
"	George Bowen,	D.
May 17,	James S. Lemon, †	P.
"	John Armitage Fowar, †	P.
Sep. 2,	James Otis Sargent Huntington,	D.
Oct. 27,	Samuel Wesley Strowger,	D.

ORDINATIONS TO ADVENT OF 1878.

v

CENTRAL PENNSYLVANIA. (*M. A. De W. Howe.*)

March 15,	Simon Kinsey Boyer,	P.
" 23,	Edward Jackson Koons,	D.
June 17,	Alonzo Potter Diller,	D.
" 27,	William Morrall,	D.

COLORADO. (*Spalding.*)

Jan 25.	John Quick Archdeacon,	P.
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CONNECTICUT. (*Williams.*)

Dec. 21, '77,	John Gray,†	D.
"	James Ferd. Taunt,	P.
March 17, '78	Leverett Bradley, Jr.,†	D.
May 29,	George William Lincoln,	D.
"	George Paull Torrence,	D.
"	Edward William Worthington,	D.
"	William Foster Bielby,	D.
"	James Banks Mead,	D.
July 5,	Percival Hanahan Whaley,	P.
Sep. 18,	John Humphrey Barbour,	P.
" 30,	Wm. Jackson Roberts,	P.
Oct. 8,	Wm. Lounsbury Marks,	D.
" 15,	Henry Townsend Scudder,	P.

DAKOTA. (*Clarkson.*)

Oct. 6,	James M. McBride,	D.
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DELAWARE. (*Lee.*)

June 16,	Daniel Moore Bates,	D.
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EASTON. (*Lay.*)

June 5,	Harrison Cruikshank,	D.
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INDIANA, (*Talbot.*)

June 5,	John Jacob Faude,	P.
" 30,	Frank Pierce Harrington,	D.
	Ralph Hylton Prosser,	D.

IOWA. (*Perry.*)

Nov. 18, '77,	Thomas Henry Truro Bray,†	D.
Feb. 3, '78,	Charles Compton Burnett,†	D.
April 11,	Henry H. Selby Hele,	D.

KENTUCKY. (*Dudley, Assistant.*)

Sep. 16,	James Taylor Helm, M. D.	P
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LONG ISLAND. (*Littlejohn.*)

April 25,	George Roe VanDewater,	P.
"	Joseph Beers,	P.
"	John Cornwell Welwood,	P.

MAINE. (*Neely.*)

Nov. 1,	Arthur Herbert Locke,	P.
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MISSOURI. (*Robertson.*)

Jan. 11,	George Moore,	P.
March 29,	Wm. W. Corbyn,	D.
April 13,	Andrew T. Sharpe,	P.
" 17,	Thomas F. C. James, M. D., †	P.
May 11,	William A. Masker, †	D.

MASSACHUSETTS. (*Paddock.*)

June 14,	Edwin Walter Gould,	P.
"	Leighton Parks,	P.
"	George Endicott Osgood,	P.
"	Lindall Winthrop Saltonstall,	P.
"	John Taylor Rose,	P.
June 19,	Reuben Kidner,	D.
"	Charles James Palmer,	D.
"	Arthur Henry Barrington,	D.
Sept. 22,	Henry Evan Cotton,	P. (in Paris,
	by the Bishop of Long Island.)	
Dec. 6,	Frederic Palmer †	D.

MINNESOTA. (*Whipple.*)

Dec. 21, '77.	Theodore C. Hudson, P. Church of Good Samaritan, Sauk Centre.
May 29, '78.	William Taylor Pisè, P. Gethsemane Church, Minneapolis.
"	Frederic James Tassell, P. Gethsemane Church, Minneapolis.
"	Louis Frank Cole, (§) D. Gethsemane Church, Minneapolis.
July 14,	George Smith (Kitchi-nodin) D. St. Columba, White Earth.
"	Mark Hart (Obun-we-we-tah), D. St. Columba, White Earth.

July 14,	George B. Morgan (Ka-ka-kun), D. St. Columba White Earth.
"	Leroy Delos Mansfield, D. Cathedral, Faribault.
"	Benj. Franklin Matrau, D. Cathedral, Faribault.

NEBRASKA. (*Clarkson.*)

May 22,	William Vesey Whitten, P. Cathedral, Omaha.
"	Thomas V. Wilson, P. Cathedral, Omaha.

NEW HAMPSHIRE. (*Niles.*)

March 14,	Henry Harrison Haines, P.
May 19,	William Seaman Sayres, D.
June 9,	Alex. Blair Crawford, D.

NEW JERSEY. (*Scarboroughh.*)

Dec. 23, '77.	William Augustus Schubert, P.
March 17, '78.	James Lavelle, † D.
April 25,	Chas. Austin Tibbal, † P.
June 9,	Robert Stockton Doll, D.
"	Arthur B. Conger, D.
"	Howard E. Thompson, D.
"	Caleb J. Peace, D.

NEW YORK. (*Potter.*)

Dec. 23, '77	George B. Johnson, D.
"	James Punnett Peters, P.
"	Caleb Theophilus Ward, P.
"	Matthew A. Bailey, M. D., P.
"	George Alexander Keller, P.
March 17, '78.	Harry W. Nancrede, P.
May 19.	James Foster, D.
June 10.	Edwin C. Alcorn, D.
"	Benj. M. Bradin, D.
"	Chester P. A. Burnett, D.
"	Charles Ferris, D.
"	Wm. Montague Geer, D.
"	Albert Eugene George, D.
"	Robert Spear Gross, D.
"	John Franklin Herrlich, D.
"	Josephus Tragitt, D.
"	Charles James Wood, D.
"	Samuel Unsworth, D. (for the Bishop of Montana).

"	Harry J. Bodley,	P.
"	Henry Robert Percival,	P.
"	William Morton Pickslay, Bishop of Albany.	P. (for the

NORTH CAROLINA. (*Atkinson.*)

July 28,	James Cook Atkinson,	D.
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NORTHERN NEW JERSEY.

Nov. 7,	Chalmers Durand Chapman, Bishop of Maryland.	P. by the
"	William Richmond, Bishop of Springfield.	P. by the

OHIO. (*Bedell.*)

May 15.	Lewis W. Burton,	P.
"	Edward Livingstone Kemp,	P.
"	Norman L. Badger,	D.

PITTSBURGH. (*Kerfoot.*)

Dec. 30, '77.	Wm. H. Wilson,	P.
Oct. 13, '78.	Henry Allen Griffith,	D.

RHODE ISLAND. (*Clark.*)

Jan. 13,	Samuel G. Babcock,	D.
May 29,	Charles R. Talbot,	D.
June 30,	Henry Hague,	D.
Sept. 29,	Alex. H. Vinton, 2d, P. (for the Bishop of N. N. J.)	

VIRGINIA. (*Whittle.*)

June 28,	Corbin Braxton Bryan,	D.
"	Geo. Washington Dame,	D.
"	Arthur P. Gray,	D.
"	Curtis Grubb, Jr.,	D.
"	Wm. B. Lee,	D.
"	Frank Page,	D.
"	Byrd T. Turner,	D.
"	Sigismund S. Ware,	D.
"	Josiah Wm. Ware,	D.
"	John H. M. Pollard,	D.
"	Peter M. Boyden,	P.
"	Oscar S. Bunting,	P.
"	Nelson Page Dame,	P.
"	Emile Julien Hall,	P.
"	Edwin A. Penick,	P.
"	James R. Winchester,	P.
Nov. 10,	Wm. W. Walker,	P.

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